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1917









OFFICIAL DOCUMENTS

RELATING TO

THE WAR

(For The Year 1917)

**MINISTRY OF FOREIGN AFFAIRS,
Peking, China.**

Printed by the "Peking Leader" Press.

"China. Wai chiao pu.

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145	The Netherlands Minister at Peking to the Minister of Foreign Affairs.	do	Says many articles of the Regulations concerning "the protection of Germans leaving the country" and "protection of German merchants and missionaries residing in China" are inconsistent with treaty provisions	140
146	do	May 12.	Says German Government desires the Chinese Foreign Minister to make a special statement that Chinese Government has no intention of expelling German subjects in China or of interning them.....	141

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147	The Minister of Foreign Affairs to the Netherlands Minister at Peking.	1917. May 19.	Acknowledges above note. Says all that the Chinese Government is doing is in strict conformity with International Law, and beyond this there is no need for further statement. Protests strongly against detention of Chinese students in Germany.	142
148	do	May 25.	Refers to the Regulations governing German subjects residing in China.	143
149	The Netherlands Minister at Peking to the Minister of Foreign Affairs.	May 29.	Acknowledges above note. Insists that it is a violation of International Law to enact special regulations with respect to alien residents subjects of a country with which no state of war exists.	144
150	The Minister of Foreign Affairs to the Netherlands Minister at Peking.	June 9	Treats of issuance of passports to German subjects who desire to spend summer at Kuling and Mokanshan.	146
151	do	June 26.	Refers to Regulations governing German subjects residing in China....	147
152	The Minister of Foreign Affairs to the Netherlands Minister at Peking.	July 30.	Treats of securing safe-conducts from various foreign Ministers at Peking for German civil officials, etc., wives and children of German military officers in Tsingtao, and German subjects employed in Chinese Postal Service. Protests against detaining Chinese students in Germany and Belgium.	148
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154	The Minister of Interior to the President.	do	Petition praying for the Establishment of Bureaux for the Municipal Administration of Special Areas at Tientsin and Hankow, requesting permission to appoint chiefs of Bureaux and submitting Regulations.	150
155	The Minister of Foreign Affairs to the Netherlands Minister at Peking.	Aug. 14.	Says Chinese Government has enacted Provisional Regulations governing the trial of enemy subjects in civil and criminal cases, and incloses a copy of the same.	152

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157	The Ministry of War to the Ministry of Foreign Affairs.	Aug. 17.	Transmits copies of orders and regulations issued to various Provincial Authorities and the army: (1) announcing the existence of a state of war with Germany and Austria-Hungary and enjoining the observance of the Law of Nations, (2) concerning protection to be accorded to enemy subjects who choose to leave the country, (3) governing Provisional Inspection of enemy subjects, (4) governing the internment camps for Prisoners of War, (5) governing disarming of Austro-Hungarian subjects in actual military service, (6) governing disposition of weapons and military instruments of enemy ownership, (7) regarding disposition of barracks of enemy countries in China.....	155
158	The Minister of the Interior to the Minister of Foreign Affairs.	Aug. 17.	Transmits copies of rules and regulations relating to (1) the Disposition of Enemy Subjects, (2) Detailed Instructions for the Enforcement of the Rules and Regulations Governing the Disposition of Enemy Subjects, (3) Matters to be attended to when granting permission to enemy subjects to carry on business, in pursuance of the Rules, etc., Governing the disposition of enemy subjects, and (4) Directions for Maintaining Vigilant Watch over Enemy Subjects.....	155
159	The Netherlands Minister at Peking to the Minister of Foreign Affairs.	Aug. 18.	Protests against Provisional Regulations governing trial of enemy subjects in civil and criminal cases, as promulgated on Aug. 14.....	162
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161	The Minister of Foreign Affairs to the Special Commissioners of Foreign Affairs at Mukden, Heilungkiang, Tientsin, Kashgar, Kirin, Shanghai, Hankow, Ili and Hsin-chiang.	1917. Aug. 19.	Instructs them to consult Military and Civil Governors in order to safe-guard Chinese interests against enemy influence in China. Incloses a copy of Russian Minister's communication relative to plots of enemy agents in China.	170
162	The Minister of Foreign Affairs to all the Foreign Ministers at Peking.	Aug. 20.	Says that all contracts for chartering or purchasing the enemy ships seized in China will be null and void unless such contracts have the previous approval of the Central Government.....	170
163	The Minister of Foreign Affairs to the Ministers of the Allied and Neutral Countries at Peking.	Aug. 22.	Says this Government has promulgated Provisional Regulations governing trial of enemy subjects in civil and criminal cases. Transmits a copy of the same.	170 171
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168	The Minister of Foreign Affairs to the Netherlands Minister at Peking.	Aug. 28.	Treats of the taking over of the main and branch offices of the Deutsch-Asiatische Bank by various local authorities.	175
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171	The British Chargé at Peking to the Minister of Foreign Affairs.	Sept. 6.	Refers to application of Provisional Regulations governing trial of enemy subjects in civil and criminal cases when British subjects are parties plaintiff.	178
172	The Minister of Foreign Affairs to the Netherlands Minister at Peking.	Sept. 8.	Says German barracks at Pei-Tai-Ho, and German and Austrian barracks at Tang-Ku will be taken over by Chinese authorities on Sept. 12.	178
173	The Netherlands Minister at Peking to the Minister of Foreign Affairs.	Sept. 10.	Acknowledges above note and says soldiers of Holland have been instructed to deliver the said barracks to Chinese police.	179
174	The Netherlands Minister at Peking to the Minister of Foreign Affairs.	Sept. 10.	Treats of seizure of main and branch offices of Deutsch-Asiatische Bank.	179
175	The Minister of Foreign Affairs to the Netherlands Minister at Peking.	Sept. 12.	Says all acts of Chinese Government during present war are in accord with principles of International Law, and Chinese Government cannot assume any responsibility whatsoever for the losses Austrian subjects may suffer on account of the state of war.	180
176	The Minister of Foreign Affairs to the Netherlands Minister at Peking.	Sept. 15.	Treats of Provisional Regulations governing trial of enemy subjects in civil and criminal cases.	181
177	The Netherlands Minister at Peking to the Minister of Foreign Affairs.	Sept. 17.	Treats of seizure of German and Austrian merchantships in China by the authorities, and requests that the same be repudiated.	183
178	The Minister of Foreign Affairs to the British Chargé at Peking.	Sept. 20.	Discusses Provisional Regulations governing trial of enemy subjects in civil and criminal cases with special reference to suits in which British subjects are parties plaintiff.	184
179	The Minister of Foreign Affairs to the Netherlands Minister at Peking.	Sept. 20.	Refers to Chinese Regulations Governing Lawyers. Says enemy subjects may be permitted to practice in special law courts, but not in the regular law courts.	185

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181	The Minister of Foreign Affairs to the Netherlands Minister at Peking.	Sept. 25.	Refers to the sequestration of Deutsch-Asiatische Bank.....	186
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183	do	Oct. 6.	Treats of Provisional Regulations governing trial of enemy subjects in civil and criminal cases.....	187
184	do	Oct. 9.	Calls Foreign Minister's attention to the fact that the Municipal Council of Shanghai has issued a notice that beginning with the 6th inst. German and Austrian subjects may not enter or reside in the International Concession without special permission, etc.....	188
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187	The Minister of Foreign Affairs to the British Minister at Peking.	Oct. 26.	Acknowledges above note and consents to the general procedure proposed.	191
188	The Minister of Foreign Affairs to the Netherlands Minister at Peking.	Oct. 27.	Refers to Provisional Regulations governing trial of enemy subjects in civil and criminal cases.....	192
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ERRATA

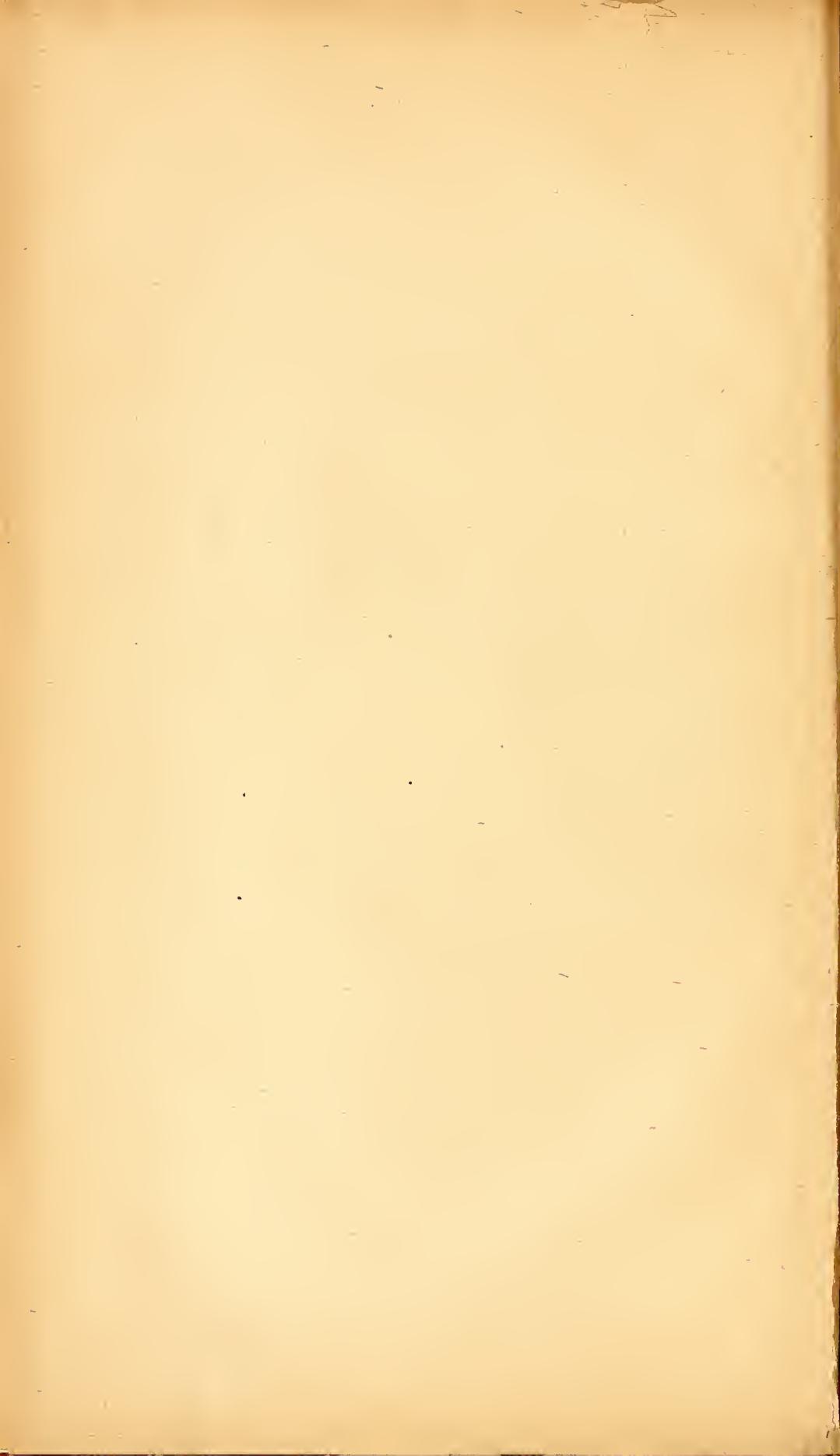
Page 16, document No. 14. Date of the document: For "[August 8th 1917]" substitute "[August 14th, 1917]."

Page 23, document No. 26. Heading of the document: For "*Chinese Charge d'Affaires at Brussels*" substitute "*Chinese Charge d'Affaires at Copenhagen,*"

Page 121. For "Wu Ch'ung-lien" wherever it occurs substitute "Wu Ch'ung-hsien."

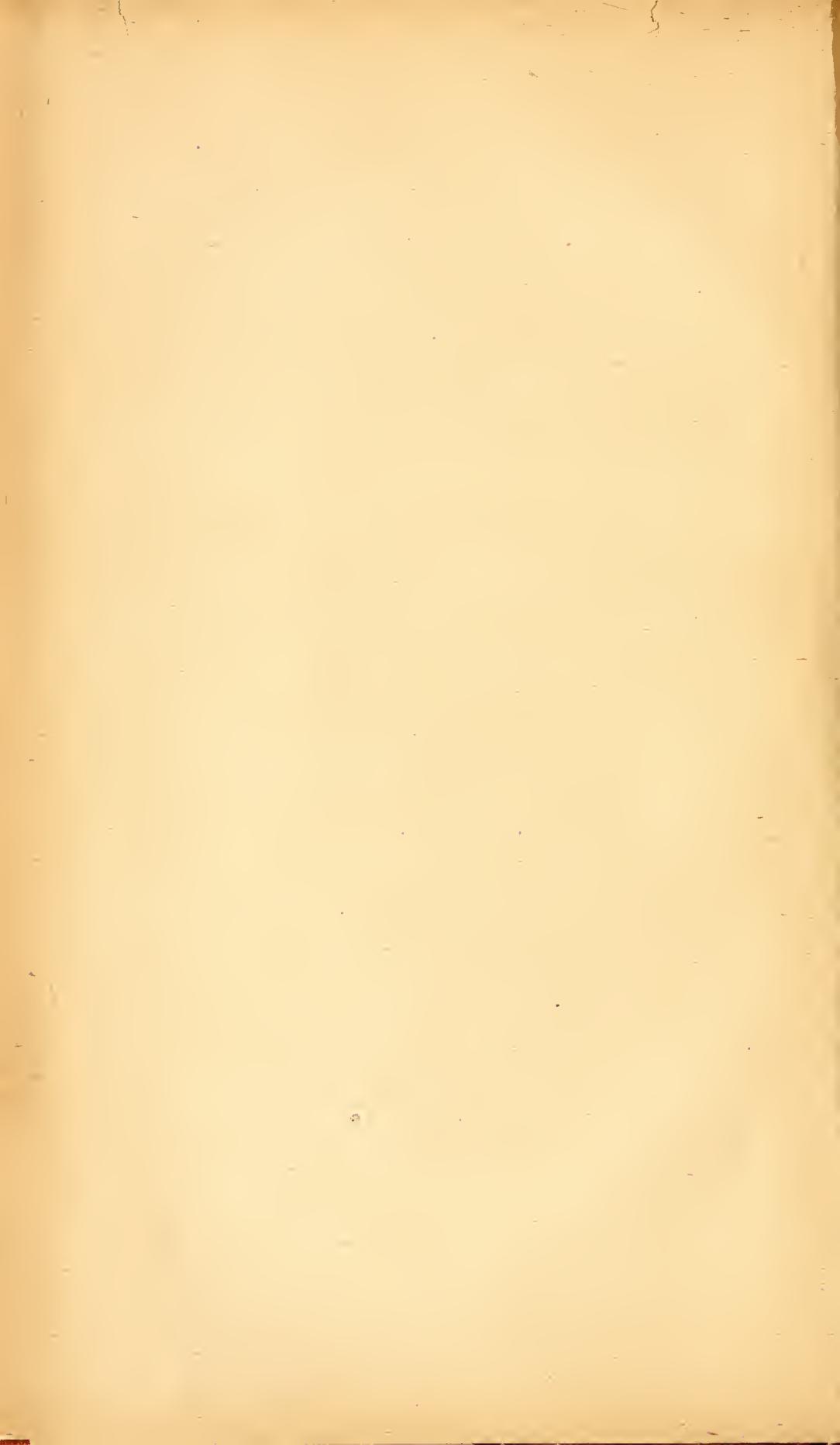
Page 146, document No. 150, par. 3: For "This is only a proof of the Chinese Government's generous policy." substitute "This is the humane policy of the Chinese Government." Par. 4, line 2: For "every courtesy" substitute "generosity."

Page 147, par. 1, line 2: For "29th inst." substitute "29th ult."



PART I.

Concerning the Severance of Diplomatic Relation
and the Declaration of War.



Official Documents

RELATING TO

THE WAR

(For The Year 1917.)

No. 1.

*The German Minister of Foreign Affairs
to the Chinese Minister at Berlin.*

[*Note—Translation.*]

Berlin, January 31st, 1917.

Monsieur le Ministre,

In their note of December 12th, 1916, Germany and her Allies declared themselves ready to enter into peace negotiations with their adversaries. They indicated as a basis the guaranty of the existence, honor and free development of their peoples. Their plans were not aimed as they expressly proclaimed, at the destruction or annihilation of their adversaries, and, in their conviction, their plans were entirely compatible with the rights of other nations.

As regards Belgium, the Chancellor had declared a few weeks before that Germany had never had the intention to annex it.

In the peace to be concluded with Belgium, Germany merely desired to take precautionary measures, so that that country with which the Imperial Government wishes to live in good neighborly relations, could not be exploited by Germany's adversaries for the promotion of hostile attempts. Such precautionary measures are the more urgently needed since in their repeated speeches and especially in the resolutions of the Paris Economic Conference leading statesmen in the enemy countries have expressed their undisguised intention to refuse equality of treatment to Germany even after the restoration of peace but on the contrary to continue a systematic fight against her.

The attempt of the four Allied Powers to bring about peace failed on account of the lust of conquest of their adversaries who wanted to dictate the terms of peace. Under the pretext of the principle of nationalities they have disclosed their true object in the war which is the destruction and humiliation of Germany, Austria-Hungary, Turkey and Bulgaria. To the desire for reconciliation they opposed their will for annihilation. They want to fight to the last.

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Thus a new state of affairs has sprung up which forces Germany to new decisions. For two and a half years, England has made an illegitimate use of her maritime power with the criminal object of reducing Germany by starvation. By their brutal contempt of international law the group of Powers led by England not only suppress the legitimate commerce of their adversaries, but also by ruthless pressure force the neutral states to cease all traffic inconvenient to them or to limit their commerce according to their arbitrary decrees.

The efforts taken to compel England and her Allies to respect the law of nations and the freedom of the seas are known to the Chinese Government.

In spite of this the English Government persists in its war of starvation which without affecting the military strength of the adversary, forces the women and children, the sick and the aged of our country to undergo painful privations endangering our national vitality.

Thus the English lust of hegemony cool-bloodedly increases the causes of suffering in the world without regard for the most sacred principles of humanity, without regard for the protests of the greatly injured neutrals, without regard even for the silent longing for peace among her own allies.

Every day this fearful struggle is prolonged brings new devastations, new miseries and new losses of human lives. Every day by which the war is shortened will preserve on both sides the lives of thousands of brave soldiers and means a blessing for tortured humanity.

The Imperial Government before its own conscience, before the German people, and before history, is unable to assume responsibility for failing to utilize any means to hasten the end of the war.

It had the desire and hope to reach the end of the war by way of negotiations. The adversaries having answered the attempt to enter into negotiation by an announcement of intensified warfare, the Imperial Government, in order to serve humanity in the highest sense and with a view to discharging itself of a heavy responsibility before the eyes of its people, must employ all its weapons in order to continue the fight to which it has been forced in defence of its existence. Therefore the Imperial Government is obliged to do away with those restrictions with which until now it has limited its warfare on the sea.

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In the firm confidence that the people and the Government of China will consider the motives of that decision which is dictated by necessity, the Imperial Government hopes that China will appreciate the new state of affairs from the lofty heights of impartiality, and on her part will also co-operate in order to avoid further misery and the avoidable sacrifice of human lives.

With reference to the details of the planned naval measures, in the annex enclosed the Imperial Government begs to express its hope that the Chinese Government will warn Chinese vessels of the danger which they run in entering the forbidden zones described in the annex as well as warn Chinese citizens against entrusting passengers or goods to ships frequenting the ports of the forbidden zones.

I avail, etc.

[sd] *Zimmermann.*

Annex.

[Translation.]

Beginning February 1st, 1917, within certain barred zones around Great Britain, France and Italy and in the Eastern Mediterranean Sea designated hereunder all vessels will be attacked by all available wepons without further notice.

a. In the North Sea a zone around England and France limited by a line drawn twenty marine leagues from the Dutch coast as far as the Terschelling lightship, by the meridian of the Terschelling lightship as far as Udsire, by a line from there traversing to the point 62 degrees of latitude north 0 degree of longitude, from there to 62 degrees of latitude north 5 degrees of longitude west, from there as far as a point situated at three marine leagues to the south of the southern point of the Faroe Islands from there westward across a point 62 degrees of latitude north 10 degrees of longitude west, then to the point 61 degrees of latitude north 15 degrees of longitude west, then to 57 degrees of latitude north 20 degrees of longitude west and as far as 47 degrees of latitude north 20 degrees of longitude west, then as far as 43 degrees of latitude north 15 degrees of longitude west, then along the 43rd degree of latitude north as far as a point within 20 marine leagues of cape Finisterre and at 20 marine leagu's distance along the northern coast of Spain as far as the French frontier.

b. In the south, the Mediterranean Sea. The maritime zone remains open to neutral navigation to the west of the line Pt. of

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Espiquette as far as 38 degrees 20 minutes north and 6 degrees east as well as to the north and to the west of a zone of the breadth of 60 marine leagues along the coast of North Africa beginning from 2 degrees of longitude west.

In order to permit the communication in this maritime zone with Greece a zone of the breadth of 20 marine leagues leads either to the north or to the east of the following line:

38 degrees of latitude north and 6 degrees of longitude east as far as 30 degrees of latitude north and 10 degrees of longitude east; then to 37 degrees north and 11 degrees 30 minutes east, then to 34 degrees north and 11 degrees 30 minutes east to 34 degrees north and 22 degrees 30 minutes east. From there a zone of the breadth of 20 marine leagues leads to the territorial waters of Greece to the west of 22 degrees 30 minutes of longitude east.

Neutral ships which ply in the barred zones do so at their own risk. Although precautions will be taken for sparing, during an appropriate length of time, neutral ships which on the 1st of February are on their way to the ports situated in the barred zone, yet it is urgently advised that they should be warned and by all available means directed to alter their course.

Neutral ships lying in the port; of the barred zones can with the same safety leave the forbidden zone provided that they sail before February 5th and take the shortest route to get to the free zone.

Enclosed are two copies of charts in which the barred zones are marked.

**The German Minister of Foreign Affairs
to the Chinese Minister at Berlin.**

[*Note Verbale—Translation.*]

The Ministry of Foreign Affairs referring to its note of January 31st, has the honor to inform the Chinese Legation that the limit of the east of the barred zone around England has been changed as follows:

From the point 52 degrees 30 minutes of latitude north 4 degrees of longitude east by a point 56 degrees of latitude north 4 degrees of longitude east to the point 56 degrees of latitude north 4 degrees 50 minutes of longitude east. Otherwise the limit remains the same.

Berlin, February 5th, 1917.

To the Legation of China.

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No. 2.

The American Minister at Peking to the Minister of Foreign Affairs.

[Note—Copy.]

Peking, February 4th, 1917.

Excellency:

I have the honor to advise Your Excellency that I have been instructed by my Government to make to you the following notification in its behalf:

This Government, in view of the recent announcement by the German Government of its intention to renew indiscriminate submarine warfare, has no alternative but to pursue the course laid down in its note to the German Government on April 18th, 1916. It will therefore recall the American Ambassador and his suite at Berlin, and will forthwith deliver to the German Ambassador in Washington passports for himself and his suite.

I am further instructed to say that the President is reluctant to believe that Germany will actually carry out the threats made against neutral commerce, but, if it is done, the President will ask from Congress authority to use the national power to protect American citizens engaged in peaceful and lawful errands on the high seas. The course taken is, in the view of the President, in entire conformity with the principles enunciated by him in his address to the Senate on January 22nd, and he therefore believes that it will make for the peace of the world if the other neutral Powers can find it possible to take action similar to that taken by the Government of the United States.

I avail, etc.

[sd.] Paul S. Reinsch.

No. 3.

The Minister of Foreign Affairs to the German Minister at Peking.

[Note—Translation.]

Peking, 9th day, 2nd month,
6th year of the Republic.

[February 9th 1917.]

Your Excellency:

A telegraphic communication has been received from the Chinese Minister at Berlin transmitting a note from the German Government dated February 1st, 1917, which makes known that the measures of blockade newly adopted by the Government of Germany will, from that day, endanger neutral merchant vessels navigating in certain prescribed zones.

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The new measures of submarine warfare inaugurated by Germany, imperilling the lives and property of Chinese citizens to even a greater extent than the measures previously taken which have already cost China, so many lives constitute a violation of the principles of international law at present in force, and an interference with legitimate commercial intercourse between neutral states and between neutral states and belligerent powers; if we submit to this method of warfare it will be equivalent to an admission on our part that this arbitrary and unjustifiable course of action is in accordance with international law.

The Chinese Government, therefore, protests energetically to the Imperial German Government against the measures proclaimed on February 1st, and sincerely hopes that with a view to respecting the rights of neutral states and to maintaining the friendly relations between these two countries, the said measures will not be carried out.

In case, contrary to its expectations, its protest be ineffectual, the Government of the Chinese Republic will be constrained, to its profound regret, to sever diplomatic relations at present existing between the two countries. It is necessary to add that the attitude of the Chinese Government has been dictated purely by the desire to further the cause of the world's peace and the maintenance of the sanctity of international law.

I avail, etc.

[*Sd.*] *Wu Ting-fang.*

No. 4.

The Minister of Foreign Affairs to the American Minister at Peking.

[*Note—Translation.*]

Peking, 9th day, 2nd month,
6th year of the Republic.
[February 9th 1918]

Your Excellency:

I have the honor to acknowledge the receipt of Your Excellency's note of February 4th, 1917, informing me that the Government of the United States of America, in view of the adoption by the German Government of its new policy of submarine warfare on the 1st of February, has decided to take certain action which it judges necessary as regards Germany.

The Chinese Government, like the President of the United States of America, is reluctant to believe that the German Government will actually carry into execution those measures which imperil the lives and property of citizens of neutral states and jeopardize the commerce, even legitimate, between neutrals as well as between

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neutrals and belligerents and which tend, if allowed to be enforced without opposition, to introduce a new principle into international law.

The Chinese Government being in accord with the principles set forth in Your Excellency's note and firmly associating itself with the Government of the United States of America, has taken similar action by protesting energetically to the German Government against the new measures of blockade. The Chinese Government also proposes to take such action in the future as may be deemed necessary for the maintenance of the principles of international law.

I avail, etc.

[sd.] Wu Ting-fang

No. 5.

The German Minister at Peking to the Minister of Foreign Affairs.

[Note--Translation.]

Peking, March 10th, 1917.

Your Excellency :

I have the honor to inform Your Excellency that at 7 p.m. on the 10th inst., I have received instructions from the German Imperial Government to transmit to the Chinese Government the following :

The Imperial Government is greatly surprised at the threat used by the Government of the Republic of China in its note of protest. Many other countries have also protested, but China, which has been in friendly relations with Germany, is the only state which added a threat to its protest. The surprise is doubly great, because of the fact that, as China has no shipping interests in the seas of the blocked zones, she will not suffer thereby.

The Government of the Republic of China refers to loss of life on the part of Chinese citizens as the result of the present methods of war. The Imperial German Government wishes to point out that the Government of the Republic of China has never communicated with the Imperial Government regarding a single case of this kind nor has it protested in this connection before. According to reports received by the Imperial Government, such losses as have been actually sustained by Chinese subjects have occurred on the firing line while they were engaged in digging trenches and in other war services. While thus engaged, they have assumed the character of combatants and are thus bound to be exposed to all accompanying dangers. The Imperial Government has on several occasions protested against the transportation of Chinese for warlike

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purposes. Even during the war the Imperial Government has given excellent proof of its friendly feelings toward China. In consideration of these friendly relations the Imperial Government is willing to treat the matter as if the threat had never been uttered and it is reasonable for the Imperial Government to expect that the Government of the Republic of China will revise its views respecting the question.

Germany's enemies were the first to declare a blockade on Germany and the same is being ruthlessly carried out. It is therefore difficult for Germany to abandon her blockade policy. The Imperial Government is nevertheless willing to comply with the wishes of the Government of the Republic of China by opening negotiations to arrive at a plan for the protection of Chinese life and property, with the view that consideration be given to the shipping rights of China. The reason which has prompted the Imperial Government to meet the Chinese Government in this way is the knowledge that, once diplomatic relations are severed with Germany, China will not only lose a truly good friend but will also be entangled in unthinkable difficulties.

In forwarding to Your Excellency the above instructions from my home Government, I beg also to state that—if the Government of China be willing—I am empowered to open negotiations for the protection of the shipping rights of China.

I have, etc.

[*sd*] von Hintze.

No. 6.

Presidential Proclamation.

[*Translation*]

China has observed strict neutrality since the outbreak of the war in Europe. A note, however, was received from the German Government on the 2nd day of the 2nd month of this year, warning us of the danger to neutral ships sailing from the latter date in certain zones as defined according to the new blockade declared by Germany, etc. The Government thereupon decided that, inasmuch as the German method of attacking merchantships has already caused considerable loss of Chinese life and property and as the new submarine policy would cause even greater menace and injury, China, moved by the desire to uphold International Law and to discharge the duty of protecting the life and property of her people, lodged a strong protest with the German Government and stated that, unless Germany withdrew her new policy, China would be compelled to sever diplomatic relations with Germany. It was then hoped that Germany would not persist

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in her policy but would maintain the friendly relations hitherto existing between the two countries. But a month has passed, and Germany has not yet abandoned her submarine warfare. On the contrary, many merchant ships of various countries have been sunk; and on several occasions our people have suffered losses of life. A formal reply was received on the 11th inst. from the German Government, stating that it was difficult for Germany to abandon her blockade policy. This is, indeed, disappointing to us. In the cause of International Law and in the interests of the protection of the lives and property of our people, diplomatic relations with Germany are hereby severed.

[*Seal of the President*]

Peking, The 14th day of the 3rd month,
The 6th year of the Chung Hua Republic.
[March 14th 1917.]

Countersigned:

Tuan Chi-jui,	Premier and Minister of War.
Wu Ting-fang,	Minister of Foreign Affairs.
Fan Yuan-lien,	Minister of Education and Acting Minister of Interior.
Chen Chin-tao,	Minister of Finance.
Chen Pi-kuan,	Minister of the Navy.
Chang Yao-ts'en,	Minister of Justice.
Ku Chung-hsiu,	Minister of Agriculture and Commerce.
Hsu Shih-ying,	Minister of Communications.

No. 7.

Presidential Mandate.

[*Translation.*]

Now that the existing diplomatic relations with Germany are severed, as regards the protection of German subjects and other necessary steps which should be taken, the Authorities concerned are hereby ordered to formulate plans, in accordance with the rules of International Law, for promulgation.

[*Seal of the President.*]

Peking, The 14th day of the 3rd month,
The 6th year of the Chung Hua Republic.
[March 14th 1917.]

Countersigned :

Tuan Chi-jui,	Premier and Minister of War.
Wu Ting-fang,	Minister of Foreign Affairs.
Fan Yuan-lien,	Minister of Education and Acting Minister of Interior.

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Chen Pi-kuang,	Minister of the Navy.
Chen Chin-tao,	Minister of Finance.
Chang Yao-ts'en,	Minister of Justice.
Ku Chung-hsiu,	Minister of Agriculture and Commerce.
Hsu Shih-ying,	Minister of Communications.

No. 8.

The Minister of Foreign Affairs to the German Minister at Peking
[Note—Translation]

Peking, 14th day, 3rd month,
6th year of the Republic.
[March 14th 1917.]

Your Excellency:

With reference to the new submarine policy of Germany, the Government of the Republic of China, animated by the desire to further the cause of world's peace and to maintain the sanctity of International Law, addressed a protest to Your Excellency on the 9th day of the 2nd month last, and declared that, in case, contrary to its expectation, its protest should be ineffectual, it would be constrained to sever the diplomatic relations at present existing between the two countries.

During the lapse of a month no heed has been paid to the protest of the Government of the Republic in the activities of the German submarines—activities which have caused the loss of many Chinese lives. On March 10th, a reply was received from Your Excellency. Although the same states that the Imperial German Government is willing to open negotiations to arrive at a plan for the protection of Chinese life and property, yet it declares that it is difficult for Germany to abandon her blockade policy. It is, therefore, not in accord with the object of the protest; and the Government of the Chinese Republic, to its deep regret, considers its protest to be ineffectual. The Government of the Republic is constrained to sever the diplomatic relations at present existing with the Imperial German Government.

I have the honor to send herewith to Your Excellency passports for Your Excellency, the members of the German Legation and their families and retinue for protection while leaving Chinese territory. With regard to the Consular Officers of Germany in China, this Ministry has instructed the different Commissioners of Foreign Affairs to issue to them, similarly, passports for leaving the country.

I avail, etc.

[sd] Wu Ting-fang.

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No. 9.

*The Minister of Foreign Affairs to the Diplomatic Representatives
of the Allied and Neutral Nations at Peking.*

[Circular Note—Translation]

Peking, 14th day, 3rd month,
6th year of the Republic.
[March 14th 1917]

Your Excellency,

With regard to the new German submarine policy the Chinese Government, animated by the desire to respect the peace of the world and uphold international law, has lodged a protest with the German Government against that policy, and at the same time declared that in case the protest should be ineffectual, the Chinese Government, to its deepest regret, would be constrained to sever diplomatic relations with Germany. A note to that effect was accordingly delivered on the 9th of the 2nd month last to Your Excellency for transmission to your Government.

I have now received from the German Minister at Peking a formal reply in which although it is stated that the German Government is still willing to open negotiations to arrive at a plan for the protection of the lives and property of the Chinese people yet inasmuch as it is declared that it is difficult to abandon the blockade policy the reply is not in accord with the object of the protest, and the Chinese Government considers its protest to be ineffectual.

Therefore, besides notifying the German Minister of the severance of diplomatic relations with Germany and issuing passports to him, his suite and family, as well as all German Consuls at the various ports in China, for their departure, I have the honor to send to your Excellency this notification for your information and to request that Your Excellency will be good enough to transmit the same to your Government.

I avail. etc.

[sd] Wu Ting-fang.

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No. 10.

The Netherlands Minister at Peking to the Minister of Foreign Affairs.
[Note—Translation.]

Peking, March 15, 1917.

Your Excellency:

With reference to Your Excellency's note of the 14th instant informing me of the severance of the existing diplomatic relations between the Chinese Government and Germany, I have now been instructed by my Government to take charge of all German interests in China at the request of the German Government. As I have always been courteously treated by your Ministry during my long stay in China, therefore, acting in the present case under the instructions of my Government, I entertain the further hope that your Ministry will maintain the former attitude toward me. In view of the fact that the Chinese Government has always not only herself, respected international law but also desired other States to respect it, it is certain that no obstacles will stand in the way of the performance of the duties now imposed upon me.

I avail, etc.
[sd] Beelaerts van Blokland.

No. 11.

The Minister of Foreign Affairs to the Netherland Minister at Peking.
[Note—Translation]

Peking, 17th day, 3rd month,
6th year of the Republic.
[March 17th 1917.]

Your Excellency,

I have the honor to acknowledge the receipt of Your Excellency's note in which it is stated that since the existing diplomatic relations between the Chinese Government and Germany have been broken off, Your Excellency has been instructed by your Government, at the request of the German Government, to take charge of all German interests in China, and, it is also stated that as Your Excellency has invariably been treated with courtesy during your long stay in China, Your Excellency entertains the further hope that the Ministry will maintain its former attitude toward Your Excellency, so that no obstacles will stand in the way of the performance of the duties now imposed upon Your Excellency.

In reply I have the honor to state that as Your Excellency has during your long stay in China, always been courteous in dealing with diplomatic affairs, it is to be earnestly hoped that should any

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questions arise during the period when Your Excellency is instructed to take charge of German interests in China, such questions will be amicably treated by both sides.

I avail, etc.

[sd] Wu Ting-faug.

No. 12.

Presidential Proclamation.

[*Translation.*]

On the 9th day of the 2nd month of this year the Government of the Republic addressed a protest to the German Government against the policy of submarine warfare inaugurated by Germany, which was considered by this Government as contrary to International Law, and imperilling neutral lives and property, and declared therein that in case the protest should be ineffectual this Government would be constrained, much to its regret, to sever diplomatic relations with Germany.

Contrary to our expectations, however, no modification was made in Germany's submarine policy after the lodging of our protest. On the contrary, the number of neutral vessels and belligerent merchantmen destroyed in an arbitrary and illegal manner was daily increasing and the lives of our citizens lost were numerous. Under such circumstances, although we might yet remain indifferent and endure suffering, with the meagre hope of preserving a temporary peace, in so doing, we would never be able to satisfy our people who are devoted to righteousness and sensible to disgrace, nor could we justify ourselves before our sister States which have acted without hesitation in obedience to the dictates of a sense of duty. Both here and in the friendly States, the cause of indignation was the same, and among the people of this country there could be found no difference of opinion. This Government, therefore, being compelled to consider its protest as being ineffectual, notified, the German Government on the 14th day of the 3rd month last of the severance of diplomatic relations and at the same time the events taking place from the beginning up to that time were announced for the general information of the international public.

What we have desired is peace; what we have respected is International Law; what we have to protect are the lives and property of our own people. As we originally had no other grave causes of enmity against Germany, if the German Government, had manifested repentance for the deplorable consequences resulting from

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its method of warfare, it might still have been expected to modify that policy in view of the common indignation of the whole world. That was what we have eagerly desired, and it was the reason why we have felt reluctant to treat Germany as a common enemy. Nevertheless, during the five months following the severance of diplomatic relations, the submarine attacks have continued exactly as before. It is not Germany alone, but Austria-Hungary as well, which has adopted and pursued this policy without abatement. Not only has International Law been thereby violated, but also our people are suffering injuries and losses. The most sincere hope on our part of bringing about a better state of affairs is now shattered.

Therefore, it is hereby declared, that a state of war exists between China on the one hand and Germany and Austria Hungary on the other, commencing from ten o'clock of this, the 14th day of the 8th month of the 6th year of the Republic of China.

In consequence thereof, all treaties, agreements, and conventions, heretofore concluded between China and Germany, and between China and Austria-Hungary, as well as such parts of the international protocols and international agreements as concern only the relations between China and Germany and between China and Austria-Hungary are, in conformity with the Law of Nations and international practice, hereby abrogated. This Government, however, will respect the Hague Conventions and its international agreements respecting the humane conduct of war.

The chief object in our declaration of war is to put an end to the calamities of war and to hasten the restoration of peace. All our citizens will appreciate this to be our aim. Seeing, however, that our people have not yet at the present time recovered from sufferings on account of the recent political disturbances and that calamity again befalls us in the breaking out of the present war, I, the President of this Republic, cannot help having profound sympathy for our people when I take into consideration their further suffering. I would never have resorted to this step which involves fighting for the very existence of our nation, were I not driven to this unavoidable decision.

I cannot bear to think that through us the dignity of International Law should be impaired, or our position in the family of nations should be undermined or the restoration of the peace and happiness of the world should be retarded. Let the people of this entire nation do their utmost in this hour of trial and hardship in order to safeguard and develop the national existence of the Chung Hua Republic, so that we may establish

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ourselves amidst the family of nations and share with all mankind the prosperity and blessings drawn from our common association. Let this proclamation be published in order that it may be generally known.

Seal of the President

Peking, The 14th day of the 8th month, The 6th year of the Chung Hua Republic. [August 14th 1917.]

Countersigned by :

Tuan Chi-jui,	Premier and Minister of War.
Wang Ta-hsieh,	Minister of Foreign Affairs.
Tang Hua-lung,	Minister of Interior.
Liang Chi-chao,	Minister of Finance.
Liu Kwan-hsiung,	Minister of Navy.
Ling Chang-ming,	Minister of Justice.
Fan Yuan-lien,	Minister of Education.
Chang Kuo-kan,	Minister of Agriculture & Commerce.
Tsao Ju-lin,	Minister of Communications.

No. 13.

Presidential Mandate.

[*Translation.*]

This country is now in a state of war against Germany and Austria-Hungary. The Government departments concerned are hereby ordered promptly and effectively to take the necessary steps in this connection as sanctioned by existing International Law and precedents.

Seal of the President

Peking, The 14th day of the 8th month, The 6th year of the Chung Hua Republic. [August 14th 1917.]

Countersigned by

Tuan Chi-jui,	Premier and Minister of War.
Wang Ta-hsieh,	Minister of Foreign Affairs.
Tang Hua-lung,	Minister of Interior.
Liang Chi-chao,	Minister of Finance.
Liu Kwan-hsiung,	Minister of Navy.
Ling Chang-min,	Minister of Justice
Fan Yuan-lien,	Minister of Education.
Chang Kuo-kan,	Minister of Agriculture and Commerce.
Tsao Ju-lin,	Minister of Communications.

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No. 14.

The Minister of Foreign Affairs to the Netherlands Minister at Peking.

[Note—Translation.]

Peking, 14th day, 8th month,
6th year of the Republic.

[August 8th 1917.]

Your Excellency,

On the 9th day of the 2nd month last, the Chinese Government addressed a protest to the German Government against the policy of submarine warfare inaugurated by the Central European Powers, which was considered by the Chinese Government as contrary to the established principles of international law and imperiling Chinese lives and property. The Chinese Government declared that in case its protest should be ineffectual China would be constrained, much to her regret, to sever diplomatic relations with Germany.

Contrary to expectations the submarines of the Central European Powers continued to sink neutral and belligerent merchantmen whereby more Chinese lives were lost, and the Chinese Government could not but consider its protest ineffectual and notified Germany on the 14th day of the 3rd month last, of the severance of diplomatic relations.

The Chinese Government still expected that the general condemnation of that policy—a policy contrary to international law and violating the principles of humanity—would lead to its modification but it now finds that there is no reasonable prospect that this expectation will be realized.

The Chinese Government, animated by the desire to maintain international law and protect Chinese lives and property, cannot remain indifferent to this state of affairs indefinitely, and therefore now declares that a state of war exists between China and Germany from ten o'clock a.m. of the 14th day of the 8th month of the sixth Year of the Chung Hua Republic. In consequence thereof the Treaty of September 2, 1861, the Supplementary Convention of March 31, 1880, and all other treaties, conventions and agreements of whatever nature, at present in force between China and Germany, are abrogated, as also all such provisions of the Protocol of September 7, 1901 and other similar international agreements as only concern China and Germany. China, however, declares that she will conform to the provisions of the Hague Conventions and other international agreements respecting the humane conduct of war.

Besides telegraphically requesting the Danish Government to

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inform the German Government, I have the honor to request Your Excellency to transmit this note to the German Government.

I avail, etc.

(Sd) Wang Ta-hsieh.

No 15.

The Minister of Foreign Affairs to the Austrian Minister at Peking.

[Note—Translation.]

Peking, 14th day, 8th month,
6th year of the Republic.

Your Excellency,

[August 14th 1917.]

On the 9th day of the 2nd month last, the Chinese Government addressed a protest to the German Government against the policy of submarine warfare inaugurated by the Central European Powers, which was considered by the Chinese Government to be contrary to the established principles of international law and imperiling Chinese lives and property.

The Chinese Government, considering its protest to be ineffectual, later notified the German Government on the 14th day of the 3rd month last, of the severance of diplomatic relations with Germany, which fact was duly communicated to Your Excellency.

As the policy inaugurated by the Central European Powers—a policy contrary to international law and violating the principles of humanity—remains unmodified, the Chinese Government, animated by the desire to maintain international law and protect Chinese lives and property, cannot remain indifferent indefinitely.

Inasmuch as Austria-Hungary is acting in this matter in concert with Germany, the Chinese Government is unable to adopt a different attitude toward her and therefore now declares that a state of war exists between China and Austria-Hungary from ten o'clock a. m. of the 14th day of the 8th month of the 6th year of the Chung Hua Republic. In consequence thereof the Treaty of September 2, 1869, and all other treaties, conventions and agreements of whatever nature, at present in force between China and Austria-Hungary, are abrogated, as also all provisions of the Protocol of September 7, 1901 and other similar international agreements in so far as they concern only China and Austria-Hungary. China, however, declares that she will conform to the provisions of the Hague Conventions and other international agreements respecting the humane conduct of war.

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Besides telegraphing the Chinese Minister at Vienna to inform the Austro-Hungarian Government and to apply for his passports, I have the honor to send you herewith passports for your Excellency, the members of the Austro-Hungarian Legation and their families and retinue for protection while leaving Chinese territory. With regard to the Consular Officers of Austria-Hungary in China, this Ministry has instructed the different Commissioners of Foreign Affairs to issue them similar passports for leaving the country.

I avail, etc.

[sd.] Wang Ta-hsieh.

No 16.

The Minister of Foreign Affairs to the Diplomatic Representatives of the Allied and Neutral Nations and the American Minister in Peking.

[Circular Note—Translation.]

Peking, 14th day, 8th month,
6th year of the Republic.

[August 14th 1917.]

Your Excellency,

On the 14th day of the 3rd Month last, the Chinese Government severed its diplomatic relations with Germany, which fact was duly communicated to Your Excellency for transmission to your Government.

As there is no hope of the Central European Powers modifying their policy of submarine warfare—a policy contrary to international law and violating the principles of humanity—the Chinese Government has therefore declared that a state of war exists simultaneously between China and Germany and between China and Austria-Hungary as from 10 o'clock a.m. of the 14th day of the 8th month of the 6th year of the Republic of China, and that all treaties of whatever nature between China and Germany and between China and Austria-Hungary are abrogated, as also all provisions of the Protocol of September 7th, 1901, and other similar international agreements in so far as they concern only China and Germany and China and Austria-Hungary. The Chinese Government, however, declares that it will conform to the provisions of the Hague Conventions and other international agreements respecting the humane conduct of war.

I have the honor to request Your Excellency to take note of this communication and to be so good as to transmit its contents to your Government.

I avail, etc.

[sd.] Wang Ta-hsieh.

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No. 17.

The British Charge d'Affaires at Peking to the Minister of Foreign Affairs.

[*Note-Copy.*]

Peking, August 14, 1917.

Your Excellency,

I have the honor to acknowledge the receipt of Your Excellency's Note of to-day in which you were good enough to inform me that as there is no hope of the Central European Powers modifying their submarine warfare—a policy so contrary to international law and the principles of humanity—the Chinese Government have therefore declared a state of war to exist between China and Germany and between China and Austria-Hungary simultaneously as from 10 a.m. to-day.

Your Excellency further records that all treaties of whatever nature between China and Germany, and between China and Austria-Hungary, are abrogated, as also all such provisions of the Protocol of September 7, 1901, and other similar international agreements as only concern China and Germany, and China and Austria-Hungary. The Chinese Government declare, however, that they will conform to the provisions of the Hague Conventions and other international agreements respecting the humane conduct of war.

In accordance with Your Excellency's request, I have not failed immediately to inform my Government of the momentous decision come to by the Chinese Government and I do not doubt that they will learn with the liveliest satisfaction of the action taken and of the high motives that have inspired Your Excellency's Government. This step will, I trust, mark the inception of an era of even closer friendship between our two countries.

I have the honour to state, for the information of the Chinese Government, that His Britannic Majesty's Government have pleasure in assuring them of their solidarity, of their friendship, and of their support. His Majesty's Government will do all that rests with them to ensure that China shall enjoy in her international relations the position and the regard due to a great country.

I avail, etc.

[*sd.*] *B. Alston.*

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No. 18.

*The Netherlands Minister at Peking to the Minister of Foreign Affairs.
[Note—Translation.]*

Peking, August 15th, 1917.

Your Excellency,

I beg to acknowledge the receipt of Your Excellency's Note of to-day's date, stating that "commencing from 10 o'clock a.m. the 14th day of the 8th month of the 6th year of The Chung Hua Republic, my Government has declared a state of war simultaneously to exist between China and Germany as well as Austria-Hungary," etc. I have the honor to inform Your Excellency that besides my taking charge of the interests of Germany, I am in receipt of instructions from my Government to look after all the interests of Austria-Hungary in China, in compliance with a request of the Government at Vienna.

In view of the declaration in Your Excellency's Note that China will not fail to act in accordance with the provisions contained in the Hague Conventions and other international agreements concerning the humane conduct of war, I trust that during the period in which I am in charge of the interests of the two countries, any question which may arise will not render my position difficult. Realizing that your benevolence is as great, as my responsibilities are heavy I believe that Your Excellency will give me every assistance.

I avail, etc.

[sd.] Beelaerts van Blokland.

No. 19.

*The Minister of Foreign Affairs to the Netherlands Minister at Peking.
[Note—Translation.]*

Peking, 20th day, 8th month,
6th year of the Republic.
[August 20th 1917]

Your Excellency:

I have the honor to acknowledge the receipt of Your Excellency's note of the 15th instant stating that as China has declared a state of war simultaneously to exist between China and Germany as well as Austria-Hungary, Your Excellency has received instructions from your Government to look after all the interests of Austria-Hungary in China, in compliance with a request of the Government at Vienna, etc.

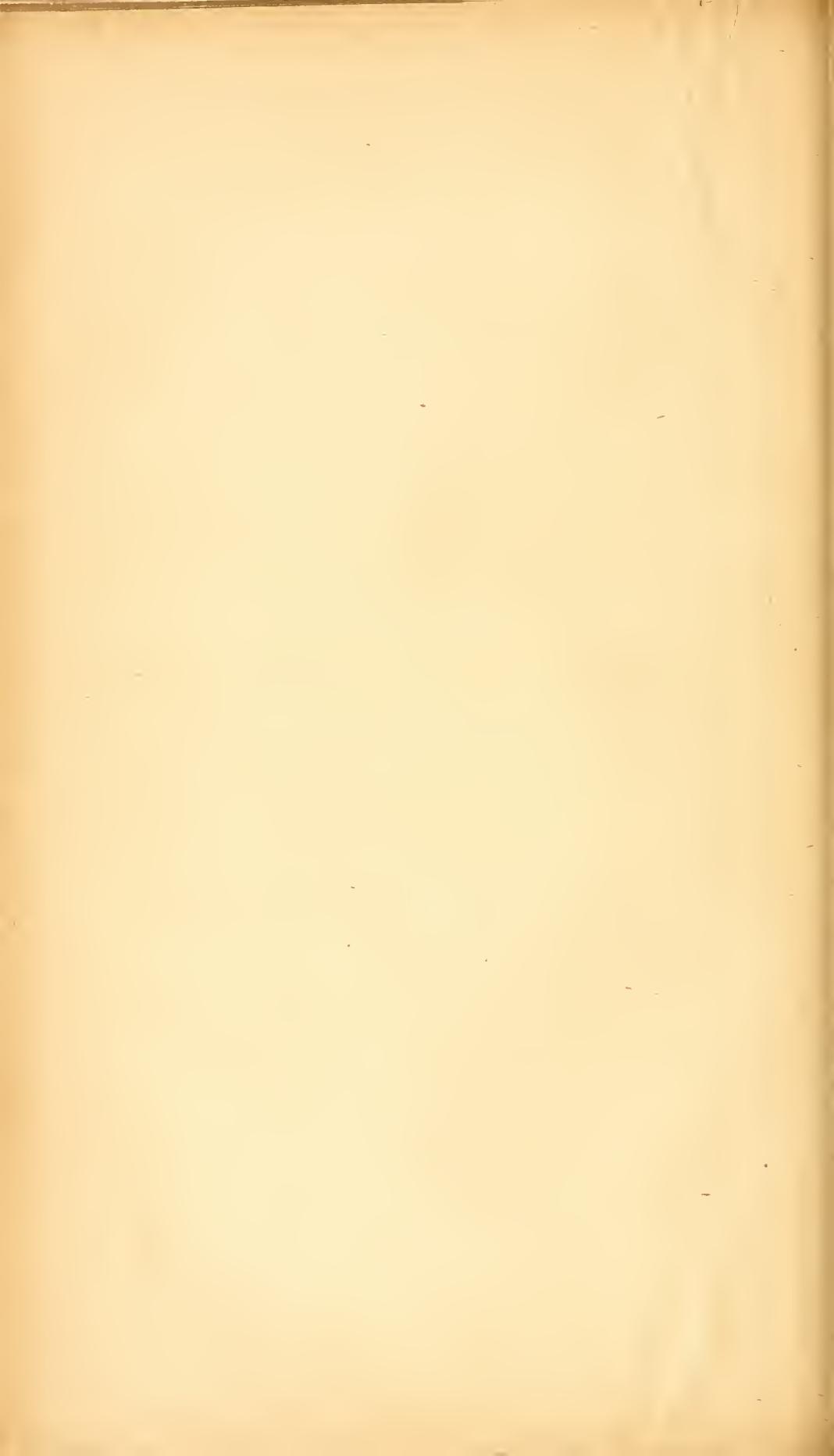
In reply I beg to state that the above mentioned note has been duly read and noted by me.

I avail, etc.

[sd.] Wang Ta-hsieh.

PART II.

Concerning the Recall of the Chinese Ministers from
Germany and Austria-Hungary.



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No. 20.

The Minister of Foreign Affairs to the Chinese Minister at Berlin.

[*Telegram—Translation.*]

Peking, 12th day, 3rd month,
6th year of the Republic.

[March 12th 1917.]

Trust you have received my telegram of the 10th. The severance of diplomatic relations between China and Germany is imminent. Regarding the care and protection of our Legation affairs, residents and students in Germany and Belgium, please immediately instruct by telegraph Chargé d'Affaires Tchai personally to consult the Danish Foreign Minister beforehand. Reply by telegram.

[*sd.*] Wu Ting-fang.

No. 21.

*The Ministry of Foreign Affairs to the
Swedish Minister at Peking.*

[*Memorandum—Translation.*]

Peking, 27th day, 3rd month,
6th year of the Republic.

[March 27, 1917.]

The Government of the Republic, having severed diplomatic relations with Germany, has already instructed by telegraph the Chinese Minister to Germany, Mr. Yen Hui-ching, to leave that country. It has been ascertained that in Belgium, within that part of the territory which is now under the administration of the German Military Government, there are still some residents and students from China; and in Brussels, there is a Chinese official taking care of the properties of the Legation.

As China has no Minister in Germany, the Chinese Government is obliged to request the Government of a friendly state to give protection and care to the Chinese interests in Belgium.

The relations between China and Sweden have always been cordial and intimate. The Ministry wishes to request His Excellency the Swedish Minister to consult his Government by telegraph with a view to securing instructions for the Swedish Minister in Belgium to protect all Chinese interests in that country. The Ministry will highly appreciate a favorable reply.

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No. 22.

*The Minister of Foreign Affairs to the Chinese Minister at Berlin
(c/o Chinese Legation in Denmark.)*

[*Telegram—Translation.*]

Peking, 28th day, 3rd month,
6th year of the Republic.

[March 28th 1917.]

Your telegram of the 19th received. Ask Sweden to protect the Chinese interests in Belgium. Request the Swedish Minister to secure the consent of his Government.

[*sd.*] Wu Ting-fang.

No. 23.

The Minister of Foreign Affairs to the Chinese Minister at Brussels.
[*Telegram—Translation.*]

Peking, 31st day, 3rd month,
6th year of the Republic.

[March 31, 1917.]

The Swedish Government has complied with the request of the Chinese Government to protect all Chinese interests in Belgium. The Swedish Minister to Belgium has already been instructed to that effect.

[*sd.*] Wu Ting-fang.

No. 24.

The Swedish Minister at Peking to the Minister of Foreign Affairs.
[*Note—Copy.*]

Peking, 31st March, 1917.

Monsieur le Ministre,

Referring to my note of the 28th inst. I have the pleasure to communicate to Your Excellency that a telegram reaching me from Stockholm this morning states that my Government is pleased to meet the Chinese Government's desire as to the representation of Chinese interests in Belgium.

The Swedish Legation in Brussels has been instructed to take charge of Chinese affairs.

I avail, etc.

[*sd.*] G. O. Wallenberg.

THE RECALL OF CHINESE MINISTERS.

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No. 25.

*The Chinese Minister at Berlin to the Minister of Foreign Affairs
[Telegram—Translation.]*

*(Translated and transmitted through the Chinese Legation in
Copenhagen.)*

Copenhagen, 4th day, 4th month,
6th year of the Republic.
[April 4, 1917.]

Two members of Legation in Belgium with 43 Chinese residents left on the 2nd. for Switzerland in a special train. We are all safe, and will depart on the 12th.

[sd] Yen Hui-ching.

No. 26.

*The Minister of Foreign Affairs to the Chinese Chargé
d'Affaires at Brussels.
[Telegram—Translation]*

Peking, 13th day, 4th month,
6th year of the Republic.
[April 13, 1917.]

Please thank the Danish Foreign Minister on behalf of the Government for consenting to protect the Chinese interests in Germany.

This Ministry handed his passports to the German Minister in Peking and his staff as early as the 14th of the 3rd month and, in accordance with international usage consulted Great Britain, France, Japan and the United States, requesting those four countries to issue safe-conducts to the German Minister and staff, enabling them to return to their home country in safety. The British safe-conduct contains a time limit of two months.

The German Minister and staff left China on March 27th by way of Shanghai where they took a Dutch steamer for Germany via America and Holland. Owing to the fact that, at present, steamers sailing from America to Holland take no passengers, the German Minister and staff must take another route and go by way of Sweden or Norway, or Denmark.

This Ministry again consulted the British, French, and American Governments, requesting them to permit the German Minister to pass through without hinderance on the strength of the safe-conducts already issued.

As the German Government considers that the two months' time limit in the safe-conducts is insufficient, this Ministry has already

OFFICIAL DOCUMENTS RELATING TO THE WAR.

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specially requested Great Britain, France, and the United States to cancel the time limit, in order to enable the German Minister and party to reach and land in Sweden or Norway or Denmark in safety.

The German Government, however, under the pretext that the time limit is too short, has instructed the Netherlands Minister to announce to this Ministry, that unless a safe-conduct without time limit is given to the German Minister to China and his party, Minister Yen Hui-ching will not be allowed to leave Germany. Such an act practically amounts to holding Minister Yen as hostage. It is certainly a violation of International Law.

Please consult with haste the Danish Foreign Minister requesting him to instruct by telegraph the Danish Minister to Germany to protest strongly to the German Government with the request that passports be issued to Minister Yen immediately. Reply by telegraph.

[sd] Wu Ting-fang.

No. 27.

The Minister of Foreign Affairs to the Chinese Minister at Berlin.

[*Telegram—Translation—Extract.*]

Peking, 19th day, 4th month,
6th year of the Republic.

[April 19, 1917.]

Your three telegrams of the 6th, 11th, and 12th have all been received.

That the German Government wishes to be informed on several matters before your departure is not unlike holding you as hostage. It is a clear violation of International Law.

Besides protesting to the Netherlands Legation here, and telegraphing to our Chargé d'Affaires in Denmark to request the Danish Government to protest to Germany, it is desired that you will demand your passports and proceed to Denmark in order to avoid complications.

[sd] Wu Ting-fang.

THE RECALL OF CHINESE MINISTERS.

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No. 28.

The Minister of Foreign Affairs to the Chinese Minister at Berlin.
[*Telegram—Translation.*]

Peking, 2nd day, 5th month,
6th year of the Republic.

[May 2, 1917.]

On what date did you reach Denmark? Have all the students left Germany? Please telegraph a summary report of the treatment you and Chinese residents have received from the German Government after severance of diplomatic relations.

[sd.] Wu Ting-fang.

No. 29.

The Chinese Minister at Berlin to the Minister of Foreign Affairs.
[*Telegram—Translation—Extract.*]

Copenhagen, 4th day 5th month.
6th year of the Republic.

[May 4, 1917.]

Your telegram of the 2nd received. Students remain temporarily. Treatment after severance of diplomatic relations same as before. I reported particulars already by telegram on the 2nd.

[sd.] Yen Hui-ching.

No. 30.

*The Minister of Foreign Affairs to the Chinese
Minister at Vienna.*

[*Telegram—Translation—Extract.*]

Peking, 3rd day, 8th month.
6th year of the Republic.

[August 3, 1917.]

You may soon be recalled. Also make preparations for the departure of Chinese students and residents in Austria-Hungary.

[sd.] Wang Ta-hsieh.

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No. 31.

The Minister of Foreign Affairs to the Chinese Minister at Copenhagen.
[*Telegram—Translation.*]

Peking, 7th day, 8th month,
6th year of the Republic.

[August 7, 1917.]

If Minister Shen-shui-ling be recalled it is desired that Chinese interests in Austria be taken care of by the Danish Government. Please informally consult the Danish Government first. In case of its non-compliance, please then consult the Swedish Government. Reply by telegraph.

[sd.] Wang Ta-hsieh.

No. 32.

The Chinese Minister at Vienna to the Minister of Foreign Affairs.
[*Telegram—Translation—Extract.*]

Vienna, 8th day, 8th month,
6th year of the Republic.

[August 8, 1917.]

Your Telegram of the 3rd received. Passage home either by water or by land is interrupted. As to the departure of Chinese students and residents here the practice is that an equal number of persons may be exchanged by each party. Am not yet certain that they can leave with me. Please inform the Danish Minister of the treatment and escort accorded to the Austrian Minister on his departure in order that the information may be transmitted to the Austrian Government so that equal treatment may be accorded us here.

[sd.] Shen Shui-ling.

No. 33.

The Chinese Minister at Copenhagen to the Minister of Foreign Affairs.
[*Telegram—Translation.*]

Copenhagen, 13th day, 8th month,
6th year of the Republic.

[August 13, 1917.]

Your telegram of the 7th received. Danish Foreign Minister has personally promised to comply with our request. This already communicated to Minister Shen Shui-ling by telegraph.

[sd.] Yen Hui-ching.

THE RECALL OF CHINESE MINISTERS.

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No. 34.

The Netherlands Minister at Peking to the Minister of Foreign Affairs.

[*Note—Translation.*]

Peking, August 16th, 1917.

Your Excellency:

I have the honor to inform Your Excellency that I have recently received a telegram from the German Government, stating that the German Government appreciates the kind treatment which the Chinese Government has accorded the German subjects residing in China, and firmly trusts that the Chinese Government will find means to secure safe-conducts for those German merchants who wish to leave China; in return for such treatment, the German Government will likewise give every facility to those Chinese students who wish to leave German territory, etc., etc. A few days ago I delegated a member of my Legation to convey this message to an official of your Ministry.

Now I have again received a telegram from the German Government requesting me again to represent to Your Excellency that "the German Government, in view of the present circumstances, anticipates that German subjects who wish to leave China will be able to secure the required safe-conducts to enable them safely to return home," etc. I have the honor to make this communication for Your Excellency's information.

I avail, etc.

[sd.] Beelaerts van Blokland.

No. 35.

The Minister of Foreign Affairs to the Russian Minister at Peking in charge of the interests of the Danish Legation.

[*Note—Translation.*]

Peking, 17th day, 8th month,
6th year of the Republic.

[August 17, 1917.]

Your Excellency:

On the 14th instant, I had the honor of requesting Your Excellency to inform the Danish Government that China has declared a state of war to exist between China and Austria-Hungary. And I have instructed by telegraph the Chinese Minister Mr. Yen at Copenhagen to request the Danish Government to take charge of all Chinese interests in Austria-Hungary. Now I am in receipt of a telegram

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from Minister Yen stating that the Danish Government has consented to take charge of and protect our interests, etc. This is most gratifying evidence of the intention of the Danish Government to solidify the friendly relations between the two countries. I am very happy to express my gratitude and request that Your Excellency will be so good as to convey the deep appreciation of my Government to the Royal Government of Denmark.

I avail, etc.

[sd.] Wang-Ta-hsieh.

No. 36.

The Chinese Minister at Copenhagen to the Minister of Foreign Affairs.

[*Dispatch—Translation.*]

Copenhagen, 21st day, 8th month,
6th year of the Republic.

[August 21, 1917.]

Excellency:

On the 12th instant, I received your telegram of the 7th stating that "if Minister Shen be recalled, it is desired that Chinese interests in Austria-Hungary be taken care of by Denmark. Please informally consult the Danish Government first. In case of its non-compliance, please then consult the Swedish Government," etc. On the 13th instant, I called on the Danish Foreign Minister M. Scavenius who has gladly acceded to my request that Chinese interests in Austria-Hungary be protected by the Danish Minister to that country.

As the Chinese interests in Turkey and Bulgaria have hitherto been taken care of by the Austrian Ambassador to the Porte, I availed myself of the opportunity to inquire whether Chinese interests in those two countries might be looked after by the Danish Representatives accredited to those countries. In response I was told that in Turkey there is a Danish Minister who may assume the protection of Chinese interests there, but in Bulgaria there is only an honorary Consul-General and it is not deemed desirable to invest him with diplomatic functions. Thereupon I briefly reported the above interview by telegraph to your Excellency and also to Minister Shen as well. Upon receipt this morning of a formal reply from the Danish Minister of

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Foreign Affairs, consenting to undertake the protection of Chinese interests in Austria-Hungary as well as of Chinese residents in Turkey, I immediately wrote to the Minister of Foreign Affairs conveying to him your appreciation of the courtesy.

I have, etc.

[sd.] Yen Hui-ching.

No. 37.

The Minister of Foreign Affairs to the Chinese Minister at Copenhagen.

[*Telegram—Translation.*]

Peking, 22nd day, 8th month,
6th year of the Republic.

[August 22, 1917.]

It would be more convenient for Minister Shen to return home via Germany. As the Germans in China have returned home without difficulty via the United States through the intercession of our Government it seems reasonable for the German Government to accord Minister Shen the same courtesy. Please request the Danish Government to instruct its Minister at Vienna to request the Austrian Government to ask the German Government to grant passage to Minister Shen. Please also communicate with Minister Shen and reply by telegraph.

[sd.] Wang Ta-hsich.

No. 38.

The Chinese Minister at Rome to the Minister of Foreign Affairs.

[*Telegram—Translation.*]

Rome, 26th day, 8th month,
6th year of the Republic.
[August 26, 1917.]

In response to my inquiry the Swiss Legation said that a telegraphic reply from Vienna stated that the Chinese Minister and his suite may take their departure upon the Austrian Government

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receiving a definite reply from its Minister at Peking and that the treatment to be accorded to Chinese residents is dependent upon the treatment given to Austrian residents in China.

[sd.] Wang Kwang-chi.

No. 39.

The Minister of Foreign Affairs to the Chinese Minister at Copenhagen:

[*Telegram—Translation.*]

Peking, 31st day, 8th month,
6th year of the Republic.

[August 31, 1917.]

According to reports Minister Shen and his suite will not be permitted by the Austrian Government to leave until it has received a definite reply from the former Austrian Minister at Peking, and the terms for the departure of the Chinese residents in Austria are the same. It has been decided that Mr. Rosthorn and the members of his staff will leave Shanghai on September 15th by the Dutch steamer *Oranje* for home, and safe-conducts have been obtained from various countries, and Austrian residents are also permitted to return home. The Austrian Government seems to treat Minister Shen as a hostage. This treatment cannot for a moment be tolerated. Please ascertain the facts and request the Danish Government to protest strongly against it and arrange for the early departure of Minister Shen. Please keep Minister Shen informed.

[sd.] Wang Ta-hsieh.

No. 40.

The Netherlands Minister at Peking to the Minister of Foreign Affairs.

[*Letter—Translation.*]

September 10, 1917.

Sir,

I have the honor to inform your Excellency that on the 30th ultimo your representative announced to me in person that the Chinese

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Government, having received information to the effect that the Chinese Minister at Vienna had been prevented from leaving the territory of the Dual Monarchy, desired vigorously to protest against the said illegal detention and to demand that the Chinese Minister be immediately permitted to leave the territory of Austria-Hungary and that his journey home should not be further obstructed.

Pursuant to your request, I inquired of the Austrian capital by telegraph ; and also, of my own motion, forwarded the information that the Chinese Government had not neglected its duties toward the former Austrian Minister, His Excellency von Rosthorn.

I am now in receipt of telegraphic instructions from my Government to notify your Excellency that the Chinese Minister at Vienna has declared that all the reports that he was detained, were not authorized by him and were untrue ; that the said Minister at Vienna receives most respectful treatment, and proposes to request the Royal Government of Denmark to forward this message to the Chinese Government, etc. Furthermore, the Danish Minister to Austria-Hungary has stated that the report in question could not have originated from any source for which he was responsible.

Having duly inquired about and cleared up the matter, it seems that the concern which your Excellency entertained for Minister Shen was the result of incorrect information.

I avail, etc.

[sd.] Beelaerts van Blokland.

No. 41.

The Chinese Minister at Copenhagen to the Minister of Foreign Affairs.

[*Telegram—Translation.*]

Copenhagen, 11th day, 9th month,
6th year of the Republic.

[September 11, 1917.]

I trust that my telegram of the 6th instant has reached the Ministry. I have just received from the Danish Foreign Office a copy of a telegram sent by the Danish Legation at Vienna, in which I notice the protest which you have lodged. According to the statement of Minister Shen, there was no detention of him as hostage ; the German Government has already promised to issue safe-conduct ; preparation for departure is being made, etc.

[sd.] Yen Hui-ching.

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No. 42.

The Minister of Foreign Affairs to the Netherlands Minister at Peking.

[*Letter—Translation*].

Peking, 12th day, 9th month,
6th year of the Republic.
[September 12, 1917.]

Sir,

I have the honor to acknowledge the receipt of your letter of Sept. 10, in which it is stated as follows :

Regarding the report that Minister Shen at Vienna has not left Austria, I have inquired at the Austrian Capital by telegraph. Now I am in receipt of a reply by telegraph from my Government to the effect that the Chinese Minister now at Vienna receives most respectful treatment ; that the former report that the said Minister has been detained was untrue, and I have instructions to forward this information to your Excellency, etc.

According to International Law, when two nations have declared war on each other, the Minister of the enemy country should be immediately allowed to leave the country to which he was accredited. The delay in the departure of the Austrian Minister, von Rosthorn from Peking, is due entirely to waiting for a steamer. The Chinese Minister to Austria-Hungary could if permitted leave Austrian territory by train at any time. There is no need of waiting for steamer. Yet the departure of the Chinese Minister has not been effected. We desire to know the reason therefor. Accordingly, we renew our protest here-with, and request your Excellency urgently to telegraph to the Austrian Government to permit Minister Shen to leave Austria immediately. We sincerely hope that your Excellency will be pleased to notify us of the reason why Minister Shen was unable to leave Austrian territory at an earlier date.

I avail, etc.

[sd.] Wang Ta-hsieh.

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No. 43.

*The Minister of Foreign Affairs to the Chinese Minister at Copenhagen
[Telegram—Translation.]*

Peking, 14th day, 9th month,
6th year of the Republic

[September 14, 1917.]

Your telegram of the 11th received. Since Minister Shen is not detained, why does he remain? Please forward our inquiry and send reply; also urge him to leave Austria immediately in order to avoid mischievous gossip. According to the information of the Netherlands Minister, our students and residents in Germany and Austria-Hungary have been given liberty to leave those countries respectively. The Government is much concerned to learn the exact state of affairs. Await urgent reply by telegraph.

[sd.] Wang Ta-hsieh.

No. 44.

*The Netherlands Minister at Peking to the Minister of Foreign Affairs
[Letter—Translation.]*

Peking, September 14, 1917.

Sir:

I have the honor to acknowledge the receipt of your letter of the 12th instant regarding the matter that Minister Shen has not yet left Austria-Hungary.

In reply I beg to say that the contents of your letter have received my attention. The safe-conduct for which Minister Shen applied to the Austrian Government has already been granted by the German Government through the request of the Austrian Government. The Danish Minister at Vienna has also been notified of the same.

I have forwarded to the Austrian Government the information that the former Austrian Minister, von Rosthorn, will in a day or so proceed on his journey to Austria-Hungary.

It is reported that Minister Shen has requested the Austrian Government to give notice eight or ten days in advance of the date to be set for his departure from Austria. Since it is now known

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that the Austrian Government offers no objection to the departure of the said Minister from Austria, I am of the opinion that the departure of the said Minister from Vienna will take place in a day or so.

I avail, etc.

[sd.] Beelaerts van Blokland.

No. 45.

The Danish Minister at Peking to the Minister of Foreign Affairs.

[Note—Translation.]

Sunday, Sept. 16, 1917.

Sir:

I have the honor to bring to the notice of your Excellency a telegram which I have just received from the Minister of Foreign Affairs of my home Government, which reads as follows:

"Please communicate to the Chinese Government the following telegram received from the Danish Legation at Vienna: 'To-day, the Austrian Foreign Minister informed me that on the score of reciprocity, Chinese citizens are allowed freely to leave the Dual Monarchy via Switzerland, or if they prefer, they may remain temporarily to continue their occupations without being interned. Please inform the Chinese Government.'"

Yesterday, Saturday, I delivered at the Wai Chiao Pu a telegram upon the same subject, and I shall be obliged if you will acknowledge the receipt of these two telegrams.

I avail, etc.

[sd.] P. Ahlefeldt-Laurvig.

(Inclosure.)

The Danish Minister of Foreign Affairs to the Danish Legation at Peking.

[Telegam—Translation.]

The Legation of Denmark, Peking:

Please communicate to the Chinese Government the following telegram received from the Danish Legation at Vienna:—

"The Minister of Foreign Affairs here has received through Holland the following telegram from the Chinese Minister of Foreign Affairs:—"We have learned that the Chinese Minister has been detained at Vienna; we protest and request that he be permitted to leave without delay. The Minister of Austria-Hungary is treated here with every consideration and we are not afraid of any difficulty in securing safe-conduct for him." The Chinese Minister here, having

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learned of the above, requests me emphatically to contradict the said report to the Chinese Government, and adds that the Government of Austria-Hungary has treated him with all possible consideration and has secured for him a safe-conduct to travel across Germany. This Legation has to-day received from the Minister of Foreign Affairs here the following note: "Referring to the note verbale of last August delivered by the Royal Legation of Denmark, the Imperial and Royal Minister of Foreign Affairs has the honor to inform the Royal Legation that the Imperial German Government consents on principle to give free passage through Germany to the former Chinese Minister to Vienna and his suite as well as their baggage." The details for the departure of the Chinese Minister here are now being arranged. As soon as all preparations are concluded, this Legation will telegraph."

[sd] "Scavenius."

"Minister of Foreign Affairs."

No. 46.

*The Chinese Minister to Austria-Hungary to the Minister
of Foreign Affairs.*

[*Telegram—Translation.*]

Copenhagen, 30th day, 9th month,
6th year of the Republic.
[September 30, 1917.]

Wai Chiao Pu:

My staff and self started from Vienna on the 27th instant Austrian Government prepared train and despatched official to escort us to Warnemünde. Passing through German territory, the highest consideration was accorded us. Last night, we safely arrived at the Danish capital. Your concern may be relieved. Will telegraph the rest later.

[sd] Shen Shui-ling.

No. 47.

The Minister of Foreign Affairs to the Netherlands Minister at Peking.

[*Note—Translation.*]

Peking, 4th day, 10th month,
6th year of the Republic.
[October 4, 1917.]

Your Excellency:

I have the honor to acknowledge the receipt of Your Excellency's note dated August 16th, in which Your Excellency informed me that

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according to a telegram received from the German Government, it is stated that the German Government appreciates the kind treatment which the Chinese Government has accorded German subjects residing in China and is willing to reciprocate by giving every facility to those Chinese students in Germany who wish to leave, etc., etc.

Upon receipt of the above communication I immediately telegraphed instructions to the Chinese Minister at Copenhagen to instruct all the Chinese students to leave Germany and Belgium accordingly. I am now in receipt of a telegraphic reply from the said Minister saying that in the reply from the Danish Foreign Office it is stated that the German Government has not allowed the Chinese students liberty to leave Germany. Moreover, in a note from the Swedish Foreign office, it is also stated that the German Government has given no permission to the Chinese students to leave Germany or Belgium, etc. This report is obviously in conflict with your previous note in which Your Excellency declared that the German Government would not place any obstruction in the way of those Chinese students who wish to leave German territory. I am unable to reconcile this conflict. Therefore I have the honor to request that Your Excellency will communicate with the German Government by telegraph, urging that those Chinese students who desire to leave Germany or Belgium, be immediately given their safe-conducts in order to facilitate their departure. I shall be glad to have Your Excellency's favorable reply.

I avail, etc.

[sd.] Wang Ta-hsieh.

No. 48.

The Netherlands Minister at Peking to the Minister of Foreign Affairs.

[Note—Translation.]

Peking, October 6th 1917.

Your Excellency:

I have the honor to acknowledge the receipt of Your Excellency's note of the 4th inst. requesting me to apply to the German Government by telegraph for safe-conducts for those Chinese students who desire to leave Germany and Belgium.

In reply I have the honor to state that on the 3rd inst, upon a verbal request of Your Excellency's delegate I have already telegraphed to the German Government inquiring whether the latter will

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permit the Chinese students to leave the territories of Germany and Belgium. As soon as the reply reaches me, I shall send it to Your Excellency.

As to the disagreement between the declaration I made in my Note of August 16th and the report from the Chinese Minister at Copenhagen, it is, of course, impossible for me to give any explanation before I receive a reply from the German Government. It should be noticed that the declaration which I made was based on a telegram sent by the German Government at a time when China had not yet declared war on Germany.

I avail, etc.

[sd] Beelaerts van Blokland.

No. 49.

The Minister of Foreign Affairs to the Netherlands Minister at Peking.

[Note—Translation.]

Peking, 24th day, 10th month,

6th year of the Republic.

[October 24, 1917.]

Your Excellency:

I have the honor to acknowledge the receipt of Your Excellency's note of the 6th inst., stating that on the 3rd inst. in compliance with a verbal request of this Ministry's delegate, Your Excellency telegraphed to the German Government inquiring whether the latter would permit the Chinese students to leave the territories of Germany and Belgium, and that Your Excellency will inform me as soon as the reply shall have been received, etc.

I am deeply concerned over the fact that a reply has not yet come. Therefore, I beg to renew my request that Your Excellency will again communicate with the German Government by telegraph in order to enable our students to leave Germany and Belgium forthwith. If the German Government is purposely making difficulty in the matter, I regret to say, that it would be hard to expect China to show as great interest as before in making arrangements for the German residents in China to return home. Trusting that Your Excellency will favor me with a reply, I avail, etc.

[sd.] Wang Ta-hsieh.

PART III.

Concerning the Departure of the German and
Austrian Diplomatic Officials.



DEPARTURE OF THE GERMAN DIPLOMATIC OFFICIALS.

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No. 50.

The Ministry of Foreign Affairs to the Commissioners of Foreign Affairs for the various Provinces.

[*Telegram—Translation.*]

Peking, 13th day, 3rd month,
6th year of the Republic.

[March 13, 1917.]

Diplomatic relations with Germany are about to be broken off. As soon as the breach is proclaimed all German Consuls in China shall cease to officiate as such. Commissioners of Foreign Affairs shall furnish them as well as the members of their Consulates and their families with passports to leave this country and shall inform the local Authorities of the places through which they intend to travel that they must be given proper protection until they shall have left the country. They shall leave within 48 hours after they receive notice of the breach. When passports are delivered such particulars as the names and titles and the number of those who are leaving with the Consul should be ascertained and telegraphed to the Ministry so that safe-conducts may be requested for them from the Allied Powers. The necessary passports shall be in the following form:—

"In accordance with instructions received from the Ministry of Foreign Affairs, this is to request and require all local Authorities concerned both military and civil to allow M. Consul for China, together with the Members of his Consulate and their families to leave the country without let or hindrance and to render them proper and necessary protection."

With regard to their route of travel, Consuls should be consulted and when that is decided upon suitable preparations for their travel should be made beforehand and a report be telegraphed to this Ministry.

Germans who are acting as Consuls for other countries, and subjects of other countries acting as Consuls for Germany need only cease to officiate as such; no passports shall be given to them.

[Seal] Wai Chiao Pu.

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No. 51.

The Netherlands Minister at Peking to the Minister of Foreign Affairs.

[Note—Translation.]

Peking, March 16, 1917.

Your Excellency:

I have the honor to call Your Excellency's attention to the fact that the German Consul at Tsinanfu has been notified by the local authorities that he and his staff should leave the city within 48 hours. During my interview with Your Excellency on the 14th instant I protested orally that the said time limit was too short and contrary to the rules of international courtesy and practice. Therefore, I hereby earnestly request Your Excellency to give instructions to the authorities concerned to reconsider the question and extend the time limit which has been fixed until the said Consul and his staff have completed their preparations either to return to their own country or to go elsewhere.

If German Consuls at other ports have been given a similar short time limit I have the honor further to request that the present case be taken as a precedent.

With regard to the German Consulate at Tsinanfu I have requested Your Excellency to allow the Clerk Prehls to remain at Tsinanfu to look after the Consulate archives. This arrangement will not be detrimental to China's interests neither will it lead to any unforeseen event.

I avail etc.

[sd.] Beelaerts van Blokland.

No. 52.

The Ministry of Foreign Affairs to the Commissioners of Foreign Affairs for the various Provinces.

[Telegram—Translation.]

Peking, 16th day, 3rd month,
6th year of the Republic.

[March 16, 1917.]

Regarding the departure of the German Consuls, if the said consul or consuls request an extention of the original time limit of 48 hours on the ground of necessity, you may concede this according to the circumstances. The date of their departure is still to be reported to the Ministry by telegraph.

[Seal] Wai Chiao Pu.

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No. 53.

The Netherlands Minister at Peking to the Minister of Foreign Affairs.

[*Note—Translation.*]

Peking, March 18th, 1917.

Your Excellency:

It appears to me that since China severed her diplomatic relations with Germany, not all the officials in charge of foreign affairs in the various provinces have been familiar with international usage or with international law so as to take proper procedure with reference to the German Consular officers. Therefore, the high purpose of Your Excellency has not been attained.

In order to avoid the violation of usages observed for centuries in the relations of civilized peoples I have the honor to request Your Excellency to call the attention of these officials to the fact that the German Consuls and members of the German Consulates and their families, so long as they remain on the territory of the Republic should be treated as guests of the Nation; that every facility should be given them in order to assist them to return to their own country; and that they should not be compelled to travel through the territories of countries now at war with Germany. Naturally there can be no question of passing over such territory unless an absolute safe-conduct has been previously granted by these belligerent countries.

I avail, etc.

[sd.] Beelaerts van Blokland.

No. 54.

The Ministry of Foreign Affairs to the Commissioners of Foreign Affairs for the various Provinces.

[*Telegram—Translation.*]

Peking, 18th day, 3rd month,
6th year of the Republic.

[March 18, 1917.]

Trust you have received our telegram of the 16th. Regarding the issue of safe-conducts to German Consuls, we have already applied to the Ministers of the Allied countries who are now consulting their respective Governments by telegraph. As

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soon as they have secured the approval of their Governments by telegraph, they will order their consuls at various ports to issue safe-conducts. Photographs of the German Consuls and their suites must be attached to the safe-conducts. Please notify the German Consul of this beforehand.

[Seal.] Wai Chiao Pu

No. 55.

*The Minister of Foreign Affairs to the Chinese Ministers
at Washington, Tokyo, London and Paris.*

[*Telegram—Translation.*]

Peking, 19th day, 3rd month,
6th year of the Republic.

[March, 19, 1917.]

The German Minister has decided to sail for Rotterdam by a Dutch steamer via Japan and America. With regard to the required "Sauf Conduit" I have already requested the British, American, French and Japanese Ministers to request their Governments to issue the same. As the the number of German Consuls at various ports is large and they are far away from Peking they cannot leave in one party. It will be impracticable for them to procure "Sauf Conduits" directly from the various Ministers. Please request the Foreign Office [to allow the German Minister and Consular officials to travel through its territory safely and]* to authorize its Minister at Peking to instruct its consuls at the various ports to issue on the spot the required "Sauf Conduits" to German Consuls. This arrangement will prevent delay and trouble. This matter being pressing please act promptly and reply by telegraph most urgently.

[sd.] Wu Ting-fang.

**Inserted in the telegrams to Their Excellencies Chang Chung-hsiang and Koo Viyi-kuin Chinese Ministers at Tokyo and Washington respectively.*

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No. 56.

The Ministry of Foreign Affairs to the Commissioners of Foreign Affairs for the various Provinces (excepting the Three Eastern Provinces and Yunnan.)

[*Telegram—Translation.*]

Peking, 22nd day, 3rd month.

6th year of the Republic,

[March 22, 1917.]

Regarding the safe-conducts for German Consuls, the Japanese and the French Ministers have received instructions from their respective Governments authorizing them to instruct by telegraph their Consuls at various ports to issue the same. The British and American Ministers have not yet heard from their Governments, but they will also instruct their Consuls to issue the same as soon as replies shall have been received. Please arrange forthwith with the consuls concerned to issue the safe-conducts at an early date so as to enable the German consuls to leave without delay. If the German Consul at your port cannot wait for the safe-conduct, he may go to Shanghai to get it, but the local Commissioner of Foreign Affairs should issue to him a certificate with the Consul's photograph attached thereto. This certificate will be handed to the Commissioner of Foreign Affairs at Shanghai who will certify its genuineness before the Consuls concerned whereupon a safe-conduct will be issued. A certificate from the Netherlands Consul at Shanghai may also be accepted. Further, the German Minister has decided to depart for America from Woosung on the 26th inst. by the Dutch Steamer "Rembrandt"; German Consuls may take the same steamer with the Minister. Please inform the German Consul at your port.

[Seal.] Wai Chiao Pu.

No. 57.

The Minister of Foreign Affairs to the Acting Minister of the Interior.

[*Letter—Translation.*]

Peking, 22nd day, 3rd month,

6th year of the Republic.

[March 22, 1917.]

Sir :

By the Presidential Order of the 14th of the 3rd month, diplomatic relations between China and Germany have been severed.

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The German Minister at Peking, Admiral von Hintze, and the Legation staff, together with their families will leave Peking by a special train on the 24th day of the 3rd month at 8 a.m. They will pass through Tsi-nan, Pu-kow, and Nanking *en route* to Shanghai where they will board a steamer for Germany. I have the honor to request that you instruct all the local officials along the route to pay special attention to giving them protection, and instruct the chiefs of police at Tientsin and Nan king to send detachments of police to the railway stations for the purpose of rendering all necessary services. From Pukow to Nanking, it is necessary to provide a special detachment of police to act as escort.

I have etc.

[sd.] Wu Ting-fang.

[Notes :—The Minister of the Interior replied stating that telegrams had already been sent out instructing the local officials along the route to give due protection, etc.

Afterwards, another letter was written to the Minister of the Interior, informing him that the time of departure of the German Minister had been changed to the 25th of the 3rd month at 6 p.m.]

No. 58.

The Minister of Foreign Affairs to the Commissioner of Foreign Affairs at Shanghai.

[Letter—Translation.]

Peking, 22nd day, 3rd month,
6th year of the Republic.

[March 22, 1917]

Sir :

Diplomatic relations between China and Germany, having been severed, the German Minister at Peking, Admiral von Hintze, and suite together with their families will leave Peking on the 24th of the 3rd month to go to Shanghai where they will board the Dutch steamer, "Rembrandt" for the United States.

Please reserve a special steam-boat for conveying the said Minister and party to Woosung. In case the German Minister and party wish to use their own steam-boat then you will instruct the escorting officer to use the special steam-boat to escort the party to the steamer.

I have, etc.

[sd.] Wu Ting-fang.

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No. 59.

The Minister of Foreign Affairs to the Commissioner of Foreign Affairs at Shanghai.

[*Telegram—Translation.*]

Peking, 23rd day, 3rd month,

6th year of the Republic.

[March 23 1917.]

Your telegram of the 22nd received. The Dutch steamer will reach Woosung on the morning of the 27th. The German Minister and suite together with their families, numbering altogether 27 persons, will leave Peking on the 25th by a special train, and will reach Woosung on the morning of the 27th. Please reserve a steam-boat at Woosung for the purpose of conveying them to the Dutch steamer.

[sd.] Wu Ting-fang.

No. 60.

The Minister of Foreign Affairs to the Netherlands Minister at Peking

[*Note—Translation.*]

Peking, 24th day 3rd month,

6th year of the Republic.

[March 24, 1917.]

Your Excellency:

I have the honor to acknowledge the receipt of Your Excellency's Note to the following effect:

As all German Consuls in China are about to return to their own country and their affairs have been entrusted to the Netherlands Consulates in China, it is of great importance that certain subordinate officials of the German Consulates be retained to assist the Netherlands officials in handling German affairs which are burdensome and numerous. At important places where there are German Consulates but no Netherlands Consulates, one German subordinate official should be retained to look after the archives of the German Consulate on the one hand and on the other hand to keep in touch with and give advice to the German residents and also to make reports on the situation to the Netherlands officials in China. This arrangement should be most satisfactory. Such German subordinate officials, who will have no independent positions of their own, shall only act in obedience to the instructions of the Netherlands officials

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who at the same time shall be responsible for their conduct. I propose this arrangement in the hope that it will meet with Your Excellency's approval. I beg to enclose herewith a list of the said officials of the German Consulates in China for whose retention I have the honor to request Your Excellency's approval and for whose good behaviour I shall assume full responsibility, etc.

In reply I have the honor to state that the arrangement has my approval since as stated in Your Excellency's note it is to assist the work of the Netherlands authorities and Your Excellency has undertaken to be responsible for the good behaviour of the Germans. But the Germans so retained should be employed to keep the archives only and in no case may they exercise their former authority. To allow them from time to time keep in touch with and offer advice to Germans in places where there are no Netherlands Consulates is apt to give rise to local misunderstanding and on this account I am obliged to request Your Excellency to give further consideration to that point.

I avail, etc.

[sd.] Wu Ting-fang.

No. 61.

The Ministry of Foreign Affairs to the Commissioner of Foreign Affairs at Shanghai.

[*Telegram—Translation.*]

Peking. 24th day, 3rd month,
6th year of the Republic.

[March 24, 1917.]

With regard to the British safe-conducts required by the German Consuls at the various ports, the British Minister here has wired instruction to the British Consul at Shanghai to issue them. Please obtain the same from the British Consul-General and hand them to the German Consuls through the medium of the Netherlands Consul-General. Further, the German Minister has decided to leave Peking to-morrow afternoon at 6 o'clock by a special train and will arrive at Woosung on the 27th inst. at 9 a.m. Please take notice accordingly.

[Seal.] Wai Chiao Pu.

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No. 62.

The Ministry of Foreign Affairs to the Commissioners of Foreign Affairs of the various Provinces (excepting the Three Eastern Provinces and Yunnan).

[*Telegram—Translation.*]

Peking, 25th day, 3rd month,
6th year of the Republic.

[March 25, 1917.]

Regarding the safe-conducts for German Consuls, the French Minister has already instructed by telegraph the French Consuls at the different ports to issue them. The British and American Ministers have consented to instruct their Consuls at Shanghai to do the same. In view of the fact that the German Consuls at Chefoo, Amoy, Swatow and Canton, have to travel by steamer to Shanghai, Japan has promised that they will receive their safe-conducts from the respective Japanese Consulates at those ports. As to other German Consuls, safe-conducts will be issued by the Japanese Consul-General at Shanghai. All the British, French, American and Japanese Consuls at the different ports have been duly instructed by their respective Ministers in the above sense. [Please secure these safe-conducts from the different Consulates at Shanghai on the arrival of the German Consuls from the different ports, and arrange with the Netherlands Consul-General beforehand.] *Note:—The above to be inserted in telegram to the Shanghai Commissioner only.*

Photographs must be attached to the safe-conducts according to the number of persons holding the same. Please advise the German Consuls to have them ready accordingly.

[Seal] Wai Chiao Pu.

No. 63.

The Minister of Foreign Affairs to the Netherlands Minister at Peking.

[*Note—Translation.*]

Peking, 28th day, 3rd month,
6th year of the Republic.

[March 28, 1917.]

Your Excellency:

I am in receipt of Your Excellency's note of the 18th inst. in which Your Excellency requests me to give instructions to the officials in charge of foreign affairs in the various provinces to facilitate the return home of the German Consuls, members of the

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Consulates, and their families, and to refrain from pressing them to pass through the territories of countries at war with Germany, etc.

In reply I beg to state that since the severance of diplomatic relations between China and Germany I have on many occasions instructed all the Commissioners of Foreign Affairs of the various provinces to give proper assistance to the German Consuls, their staffs and families, and I have also requested all the foreign Ministers concerned in Peking to ask their Governments for permission to issue to the said Consuls safe-conducts in order that they may take passage without hindrance. As to the route of travel, it is entirely left to the choice of the said Consuls and nothing has been done to compel them to pass through the territories of countries now at war with Germany.

I avail, etc.

[sd.] Wu Ting-fang.

No. 64.

The American Minister at Peking to the Minister of Foreign Affairs.

[Note—Copy.]

March 29, 1917.

Excellency:

I have the honor to inform Your Excellency that I have received a telegraphic instruction from the Department of State, directing me to inform Your Excellency that my Government considers it important to have all German consular officers in China, who desire to proceed to Germany via the United States, assemble with their families at Shanghai and take passage in one vessel to the United States. Safe-conducts will be issued to them at Shanghai.

I avail, etc.

[sd.] Paul S. Reinsch.

No. 65.

The Ministry of Foreign Affairs to the Commissioners of Foreign Affairs of the various Provinces, (excepting Yunnan, the Three Eastern Provinces, Szechuan and Shantung).

[*Telegram—Translation.*]

Peking, 30th day, 3rd month,
6th year of the Republic.

[March 30, 1917.]

This Ministry is in receipt of a letter from the American Minister stating that he is instructed by his Government to inform us that all

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German Consular Officials who desire to return to Germany via America should assemble with their families at Shanghai and take passage in one vessel to the United States and that safe-conducts will be issued at Shanghai. Please notify the German Consul at your port to act accordingly.

[Seal] Wai Chiao Pu.

No. 66.

The Commissioner of Foreign Affairs at Shanghai to the Minister of Foreign Affairs.

[*Despatch—Translation.*]

Shanghai, 30th day, 3rd month,
6th year of the Republic.

[March 30, 1917.]

Your Excellency:

I beg to report to Your Excellency of the safe departure of the German Minister on board a Dutch steamer.

The former German Minister to China, Admiral von Hintze, and suite together with their families safely arrived at Shanghai on the 27th instant. On the same day, at 8 A.M. they went to Woosung by train, and at 5 P.M. the Dutch steamer by which they took passage, set sail. A statement in the handwriting of the German Minister to testify to his departure was duly procured. Besides causing the said statement to be carefully kept on file, I beg to enclose a copy of the same for Your Excellency's perusal.

I have, etc.

Inclosure: as stated.

[sd.] Chu Chao-hsin.

(*Inclosure—Statement of Admiral von Hintze.*)

[*Copy.*]

Mr. Chen, Secretary to the Special Commissioner of Foreign Affairs, has been in charge of the arrangements at Woosung during my stay here. He has acquitted himself of these duties with proper courtesy and thoughtfulness, which at his request, I am glad to state herewith.

[sd.] von Hintze.

Woosung, March 27, 1917.

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No. 67.

The Netherlands Minister at Peking to the Minister of Foreign Affairs.

[*Letter—Translation.*]

Peking, April 6th, 1917.

Your Excellency :

As regards the safe-conduct issued by the Chinese Ministry of Foreign Affairs for the return to Germany of His Excellency von Hintze, the German Minister at Peking, with his suite, etc., it is understood that its effect is limited to a voyage for a Dutch port via the United States of America. Now, I have received a telegram from Washington, D. C. stating that under the present conditions American steamers for Holland will for the time being be closed to passengers. Therefore, Mr. von Hintze and his suite, etc., being unable to proceed by way of Holland, must necessarily return home via Sweden, Norway and Denmark. So I have the honor to request your Excellency that the wording of the said safe-conduct be so modified as to cover the ports of Sweden, Norway and Denmark. And as the cabins on steamers must be reserved beforehand, I have the honor to request that Your Excellency will be good enough to favor me with an immediate reply.

I have, etc.

[sd.] Beelaerts van Blokland.

No. 68.

The Minister of Foreign Affairs to the American Minister at Peking.

[*Letter—Translation.*]

Peking, 6th day, 4th month,
6th year of the Republic.

[April 6, 1917.]

Your Excellency :

I am in receipt of a telegram from the Civil Governor of Kuang-tung stating that the German consuls at Canton and Pakhoi will start for Shanghai this day by S. S. "Kuangli" via Hongkong. I shall be obliged if Your Excellency will at once telegraph instructions to the American Consul at Canton to issue to the said German consuls safe-conducts from Canton to Shanghai.

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With regard to the safe-conducts for travelling from Shanghai to Europe via the United States required by the said German consular officials, I beg further to request that Your Excellency instruct the American Consul-General at Shanghai to issue the same.

I avail, etc.

[sd.] Wu Ting-fang.

No. 69.

The American Minister at Peking to the Minister of Foreign Affairs.

[*Letter—Copy.*]

Peking, April 7, 1917.

Excellency :

I have the honor to acknowledge the receipt of Your Excellency's Note of yesterday's date, requesting me to instruct the American-Consul General at Canton to issue safe-conducts for the German Consuls at Canton and Pakhoi to proceed from Canton to Shanghai and further requesting me to instruct the American Consul at Shanghai to issue safe-conducts for the said Consuls to travel from Shanghai to Europe via the United States.

Although I consider that the two German Consuls concerned will be in no danger of molestation on the way from Canton to Shanghai, I am telegraphing to the Consul-General at Canton as requested to issue a safe-conduct for the said consuls as far as Shanghai. I am unable, however, to instruct the Consul at Shanghai to issue any more safe-conducts to Germans wishing to proceed to Europe through the United States. I would suggest, therefore, that the German Consuls at Canton and Pakhoi alter their plans and arrange to proceed to Europe by some other route.

I avail, etc.

[sd.] Paul S. Reinsch.

No. 70.

The Commissioner of Foreign Affairs at Shanghai to the Minister of Foreign Affairs.

[*Report—Translation.*]

Shanghai, 9th day, 4th month,
6th year of the Republic.

[April 9, 1917.]

Your Excellency :

The German Consular officials at Shanghai, Tientsin, Nanking, Hankow, Tsinan, Chefoo, Mukden and Amoy, together with

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their families totalling forty-seven persons, on the 9th instant at 11 a.m. boarded a train from Shanghai for Woosung where they took a steam launch to go on board the Dutch Mail ship, S.S. "Goentoer," which set sail at 2 o'clock in the afternoon.

This Bureau has secured from them a written statement setting forth that they left the country safely. The original of the statement is kept on file in this Bureau. A copy and a Chinese translation thereof, together with a list of the Germans who left the country, are hereby submitted for Your Excellency's perusal and preservation of record.

I have, etc.

[sd.] Chu Chao-hsin.

Enclosures : as stated.

(*Inclosure—Statement of Dr. Voretzsch.*)

[*Copy.*]

Woosung, 9th April, 1917.

Dear Mr. Chen,

I write to thank you for the arrangements you made for the 1st German Consular transport from Shanghai to Woosung and from there to the steamer. Every thing you did was most considerate and very much appreciated by myself and the whole party.

Believe me,

Yours sincerely,

[sd.] E. A. Voretzsh,

German Consul and Chief of
the Transport.

S. K. Chen, Esq.

Secretary to Commissioner
of Foreign Affairs,
Shanghai.

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(*Inclosure*)

LIST

of the German Consular Officials and their families who are leaving Shanghai for Germany by Dutch S. S. "Goentoer" on the 8th April, 1917.

Hankow.

Consul, Dr. Ernst Arthur Voretzsch.
Mrs. Anna Martha Voretzsch.
Ansetraut Voretzsch.
Nurse, Elisabeth Hauptmann.
Interpreter, Wilhelm Stoller.
Assistant, Richard Lueneburg
Assistant, Paul Stark.

Shanghai.

Consul, Oskar Scholz.
Chancellor, Max Leopold Schaller.
Secretary, Edmund Hafen.
Mrs. Gertrud Hafen.
Luise Hafen.
Consular Physician, Dr. Krieg.

Tientsin.

Consul, Dr. Fritz Wendschuch.
Commercial-Attaché, Hermann Gipperich.
Mrs. Agnes Gipperich.
Hertha Gipperich.
Gerhard Gipperich.

Interpreter, August Balser.
Mrs. Maria Balser.
Karl August Balser.
Helmut Balser.

Chancellor, Paul Scharffenberg.
Mrs. Hilde Scharffenberg.
Assistant, Maximilian Krippendorf.
Assistant, Carl Schulze.

Nanking.

Vice-Consul, Ernst Foerster.
Interpreter, Georg Scheffler.
Secretary, Heinrich Kanter.
Mrs. Anna Kanter.

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Tsinanfu.

Consul, Dr. Heinrich Betz.

Mrs. Elsa Betz.

Eugen Betz.

Rolf Betz.

Marie Betz.

Nurse, Hertha Mowitz.

Interpreter, Fritz Holzhauer

Amoy.

Consul, Dr. Constantin Merz.

Mrs. Maria Merz.

Miss Margarete Merz.

Mukden.

Secretary, Hugo Witte.

Mrs. Anna Maria Witte.

Siegfried Wilhelm Witte.

Chefoo.

Consul, Dr. Philipp Lenz.

Interpreter, Martin Fischer.

Assistant, Jahn Christains.

I-chang.

Acting Consul, Dr. Enno Bracklo.

No. 71.

The Netherlands Minister at Peking to the Minister of Foreign Affairs.

[*Letter—Translation.*]

Peking, April 13, 1917.

Excellency :

In my note of the 6th instant I had the honor to state that His Excellency von Hintze, the German Minister and his suite must pass through the United States and some neutral countries in Europe in order to arrive in Germany, and that the existing conditions have rendered sailings between America and European neutral countries infrequent and uncertain.

It is understood that the safe-conduct issued to M. von Hintze by Your Excellency as specified therein is valid for a period of only two months. In view of the circumstances mentioned above, this limited period seems hardly sufficient to insure the safe return to Germany of Admiral von Hintze, and thus the safe-conduct would

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amount to nothing more than a piece of waste paper. So I have the honor to request that Your Excellency will cancel the time limit specified in the safe-conduct for Admiral von Hintze and the other German officials. The German Government on learning of the effective cancellation of the time limit, would immediately issue passports as asked for by the Chinese Minister at Berlin.

I have, etc.

[sd.] Beelaerts van Blokland.

No. 72.

The Minister of Foreign Affairs to the Chinese Minister at Berlin.

[*Telegram—Translation.*]

Peking, 13th day, 4th month,
6th year of the Republic.

[April 13, 1917.]

Your telegram of the 11th received. The passports issued to the German Minister and his party by this Ministry on the 14th ult. are without any time limit. With regard to the British, French and American safe-conducts, we have already applied to those Governments to cancel the original time limit so as to enable the German Minister and suite to land safely in Sweden, Norway or Denmark. The continued refusal of the German Government to issue passports to you and your staff, must be construed as detaining you as hostages. This is a flagrant violation of international law. Telegraphic instructions have already been given to Chargé Tchai to request the Danish Government to instruct by telegraph its Minister at Berlin to lodge a strong protest with the German Government and to demand the issue of your passports forthwith. Please co-operate with the Danish Minister accordingly.

[sd.] Wu Ting-fang.

No. 73.

*The Minister of Foreign Affairs to the Chinese Ministers at London
and Paris.*

[*Telegram—Translation.*]

Peking, 13th day, 4th month,
6th year of the Republic.

[April 13, 1917.]

The German Minister with his suite and the German consuls successively left this country on the 27th ult. and 9th instant. They all sailed

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from Shanghai and proceeded to Germany via America and Holland. The required safe-conducts from the British, French and American Governments have been issued to them. This Ministry is now in receipt of a letter from the Netherlands Minister here stating that the steamers from America to Holland at present have suspended passenger traffic, that the German Minister and his party must travel via Sweden, Norway or Denmark and requesting us to consider means to extend the original safe-conducts so as to permit sailing for Swedish, Norwegian and Danish ports. Please immediately request the British [French] Government to issue orders to its navy to let the German Minister and his party safely land in Sweden, Norway or Denmark on the presentation of the aforementioned safe-conducts. The Netherlands Minister further states that on account of the war, there are fewer sailings from America to Europe than before, and that the German Minister might be delayed in America while waiting for a steamer and requests that the Governments concerned be requested to cancel the original time limit in the safe-conducts.

The representations of the Netherlands Minister seem to be borne out by the facts. Please request the British [French] Foreign Office to cancel at once the original time limit, so as to enable the German Minister and his party safely to land in Sweden, Norway or Denmark, and to instruct the British [French] Ambassador at Washington by telegraph to issue a special certificate to the German Minister and his party through the medium of Minister Koo. Awaiting your telegraphic reply.

[sd.] Wu Ting-fang.

No. 74.

*The Minister of Foreign Affairs to the British Charge and
the French Minister at Peking.*

[*Letter—Translation.*.]

Peking, 14th day, 4th month,
6th year of the Republic.

[April 14, 1917.]

Your Excellency:

Sometime ago this Ministry requested Your Excellency to request your Government to issue safe-conducts to the former German Minister at Peking, Admiral von Hintze, his legation staff and the

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German consular officers, as well as their families, who were to return to Germany via America and Holland. I am now in receipt of a letter from M. Beelaerts, the Netherlands Minister, in which he informs me that he has received a telegram from Washington stating that owing to present circumstances the steamers sailing from America to Holland have temporarily suspended their passenger traffic. For this reason, the former German Minister, his suite, and the German consuls and their families are prevented from going via Holland and are now obliged to return to Germany by way of Sweden, Norway and Denmark. The Netherlands Minister therefore requests me to consider means to make the above safe-conduct equally effective if the former German Minister and his party should pass through Sweden, Norway and Denmark, etc.

In view of the representations of the Netherlands Minister which seem to be borne out by the facts, I beg that Your Excellency will be good enough to take the trouble promptly to telegraph to your Government asking that the necessary instructions be given to your navy to allow the former German Minister and his party to land in Sweden, Norway or Denmark upon presentation of the same safe-conducts.

The Netherlands Minister further states that on account of the war there are fewer sailings from America to Europe than in normal times; that after their arrival in America the former German Minister and party will probably be obliged to stay for sometime to wait for a steamer and that he therefore requests the Chinese Government to ask the various Governments concerned to cancel the original time limit as stated in the safe-conducts. This request seems to be reasonable (because the safe-conducts issued by your Government are only valid for two months and the time limit seems to be too short for the purpose.) *Note : The passage within the parenthesis was inserted in the letter to the British Legation.* Therefore, I have the honor to request that Your Excellency will kindly ask your Government by telegraph to cancel the time limit which has been fixed, in order to enable the former German Minister and his party safely to reach Sweden, Norway or Denmark. I shall undertake to make known to the former German Minister von Hintze and his party that they should not delay in America without cause.

I beg further to suggest that after the consent of your Government to the above requests shall have been given, your Government

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will instruct its Ambassador in America by telegraph to issue a special certificate to the former German Minister and his party through the medium of our Minister at Washington.

Tusting that Your Excellency will favor me with an early reply, I avail, etc.

[sd.] Wu Ting-fang.

No. 75.

The Minister of Foreign Affairs to the Chinese Minister at Washington.

[*Telegram—Translation.*]

Peking, 14th day, 4th month,
6th year of the Republic.

[April 14, 1917.]

The German Minister with his staff and the German consuls successively left on the 27th ult., and the 9th. inst. by Dutch steamers from Shanghai for Germany via America and Holland. Now owing to the temporary suspension of passenger traffic by steamers sailing from America to Holland they must change their route to go by way of Sweden, Norway or Denmark. Moreover they may be delayed in America for sometime waiting for a steamer. This Ministry has already requested the British and French Governments to cancel the time limit set in the safe-conducts, and to instruct by telegraph their ambassadors at Washington to issue to the German Minister and party special certificates for the change of route which certificates will be forwarded to them through you.

As the American safe-conducts which the German Minister and his staff hold now are only valid as far as New York, please forthwith requests the American Government to issue to the German Minister and party new safe-conducts without time limit for travelling via Sweden, Norway or Denmark, which may also be forwarded them through you.

I am informed that the Netherlands Minister here has already requested the Swiss Minister at Washington to consult the American Government on all matters in connection with the return of the German Minister via America. Please communicate with the Swiss Minister accordingly. Awaiting your telegraphic reply.

[sd.] Wu Ting-fang.

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No. 76.

The Minister of Foreign Affairs to the Swedish Minister at Peking.

[*Memorandum—Translation.*]

Peking, 16th day, 4th month,
6th year of the Republic.

[April 16, 1917.]

The former German Minister, His Excellency von Hintze, together with his staff and the German consuls originally intended to return to Germany on board a steamer sailing from New York to Rotterdam, Holland. But, according to a recent letter received by this Ministry from the Netherlands Minister the steamers sailing from America to Holland have temporarily suspended their passenger traffic. For this reason, the former German Minister, H. E. von Hintze and his party must disembark in Sweden, Norway or Denmark. The Minister of Foreign Affairs has the honor to request that H. E. the Swedish Minister will request his Government by telegraph to allow the former German Minister and party to land in his country.

No. 77.

The French Minister at Peking to the Minister of Foreign Affairs.

[*Letter—Translation.*]

Peking, April 16th, 1917.

Monsieur le Ministre :

According to the letter which Your Excellency addressed to me on the 14th instant, the Chinese Government has assumed responsibility for the change of route and the delay which the former German Minister at Peking, after his departure from China, has in the course of his journey declared to be necessary for his return to his country.

I have the honor to inform Your Excellency that I have without delay complied with the desire expressed by the Chinese Government and telegraphed to my Government so that the French Ambassador at Washington may be authorized to deliver a 'safe-conduct' to supplement and modify that which I have myself delivered.

I have hastened all the more to telegraph to Paris regarding this matter because it appears from a statement which my Netherlands colleague M. Beelaerts van Blokland has just made to me, that the German Government in demanding from the Chinese Government facilities for changing the itinerary and prolonging the time limit

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prescribed for the former German Minister at Peking, has linked this question with the liberation of the Chinese Minister who is being detained as hostage in Berlin in defiance of International Law.

It appeared to me that the French Government should be informed as soon as possible of the outrage committed in that way against China by the German Government.

Accept, etc.

[sd] A. R. Conty.

No. 78.

The Minister of Foreign Affairs to the Netherlands Minister at Peking.

[*Letter—Translation.*]

Peking, 18th day, 4th month,
6th year of the Republic.

[April 18, 1917.]

Sir:

I have the honor to acknowledge the receipt of Your Excellency's note of the 6th instant requesting that, as the former German Minister, H. E. von Hintze, and his party must take the route *via* Sweden, Norway or Denmark, the effect of the safe-conducts issued to them be extended to reach Sweden, Norway or Denmark. I beg further to acknowledge the receipt of Your Excellency's letter of the 13th instant requesting that, on account of the infrequency of sailings between Europe and America, communication be had with the countries concerned with a view to the cancellation of the time limit as prescribed in the safe-conducts.

In reply, I have the honor to state that this Ministry has already requested the Governments of Great Britain, France, and the United States of America to permit the former German Minister, Mr. von Hintze, with his suite and family to land in Sweden, Norway, or Denmark with the same safe-conducts, and also for the cancellation of the time limit prescribed therein. But no reply has as yet been received.

But I was greatly surprised in reading Your Excellency's note of the 13th instant in which it is stated that the German Government, on learning of the effective cancellation of the time limit prescribed in the safe-conducts, would then immediately issue passports to the Chinese Minister in Berlin as requested, etc. According to international usage, a Minister, being the representative of a State, should

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at all times be accorded appropriate courtesies by the Government to which he is accredited, without being subjected to any vexation whatever. Thus the Chinese Government has delivered to the former German Minister passports in accordance with the prevailing usage, and accorded him due protection upon his taking his departure for Germany. But the German Government, under the pretext that the time limit of the safe-conduct issued to the former German Minister is too short, refuses to issue passports to Mr. Yen, the Chinese Minister at Berlin, for his departure. Such a measure practically amounts to the detaining the Chinese Minister as a hostage, and is contrary to the law of nations—a measure not resorted to by any civilized nation. I, therefore, protest against this action and beg to request that Your Excellency will transmit the same by telegraph to the German Government, requesting that passports be immediately issued to Minister Yen and protection be accorded for his departure.

I avail, etc.

[sd] Wu Ting-fang.

No. 79.

The Minister of Foreign Affairs to the British Charge at Peking.

[*Letter—Translation.*]

Peking, 18th day, 4th month,
6th year of the Republic.

[April 18, 1917.]

Sir :

The former German Minister at Peking Adm. von Hintze, his legation staff, the German consular officers and their families originally intended to return to Germany via America by taking a steamer at New York and landing at Rotterdam, Holland. Now according to a letter received from the Netherlands Minister, it is stated that the steamers sailing from America to Holland have temporarily suspended their passenger traffic; therefore, Admiral von Hintze and his party must land in Sweden, Norway or Denmark.

I shall be obliged if you will be good enough to request the Norwegian Government by telegraph to allow the former German Minister and his party to land in Norway from where they may proceed to Germany.

I have, etc.

[sd] Wu Ting-fang.

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No. 80.

The Swedish Minister at Peking to the Minister of Foreign Affairs.

[*Note—Copy.*]

Peking, April 21st, 1917.

Monsieur le Ministre:

Referring to Your Excellency's note of 17th instant I have the honour to say, that the Swedish Government is pleased to give all aid and protection to Admiral von Hintze and party when passing through Swedish territory on their way to Germany.

The Minister for Foreign Affairs instructs me to inform him if possible, when Admiral von Hintze is expected to arrive in Sweden.

I avail, etc.

[sd] G O. Wallenberg.

No. 81.

The Minister of Foreign Affairs to the Netherlands Minister at Peking.

[*Memorandum—Translation.*]

Peking, 12th day, 5th month,
6th year of the Republic.

[May 12, 1917.]

The Ministry of Foreign Affairs has received a telegram dated the 4th inst. from Mr. Koo, the Chinese Minister to the United States, which states as follows:

"The former German Minister to China and party, totalling twenty-seven persons went on board the Dutch steamship "Ryndam" to-day at one o'clock p.m. and sailed for Rotterdam via Halifax. It was so arranged because the ship was unwilling to make a detour for Norway.

"As regards the British and French safe-conducts which the former German Minister held, this Legation took them back from the Swedish Legation and sent them to the British and the French Ambassadors to exchange for new ones. But the latter considered that there was no necessity for issuing new certificates since the route and the destination stated in the original safe-conducts still conform to the facts, and also the time limit fixed is still sufficient for the purpose. They simply visited the original safe-conducts and returned

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them to this Legation, and we forwarded the same to the former German Minister through the Swedish Minister."

The Ministry has the honor to bring the above communication to the knowledge of His Excellency the Netherlands Minister.

No. 82.

The Netherlands Minister at Peking to the Minister of Foreign Affairs.

[*Note—Translation.*]

Peking, May 14, 1917.

Your Excellency:

With regard to the departure of the remaining German Officials from China I have been told by the American Minister that the American Government has consented to let them return to Germany via America in one party.

Accordingly I have the honor to beg Your Excellency to communicate as soon as possible with the powers concerned with a view to obtaining for the German consular officers and for the German postal employees the safe conducts necessary to enable them to proceed without molestation to Germany either via America, or one of the Scandinavian countries, or the Netherlands, and without the safe conducts being limited to any definite period of time which would deprive them of any value when means of transportation are as uncertain as at present. Safe conducts have no value except where the persons who bear them are absolutely guaranteed that in spite of temporary interruptions in means of transportation they will experience nothing prejudicial during the voyage.

I avail, etc.

[sd] Beelaerts van Blokland.

No. 83.

The Ministry of Foreign Affairs to the Commissioner of Foreign Affairs at Shanghai.

[*Telegram—Translation.*]

Peking, 16th day, 5th month,
6th year of the Republic.

[May 16, 1917.]

Your telegram of the 13th received. Regarding the departure of German consular and postal officials *via* America it has been approved.

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by the American Government with the understanding that this will be the last time that such a facility can be accorded. Please notify them to depart all in one party, and ask the British, French, Japanese and American Consuls to issue them safe-conducts to be delivered to them through the Netherlands Consul-General.

[Seal.] Wai Chiao Pu.

No. 84.

*The Minister of Foreign Affairs to the Netherlands Minister
at Peking.*

[*Letter—Translation.*]

Peking, 23rd day, 5th month,
6th year of the Republic.

[May 23, 1917.]

Sir :

In reply to Your Excellency's letter of the 14th instant referring to the fact that the American Government has consented to allow the German officials who are now in China to return to Germany *via* America, I beg to inform you that I have duly consulted the various foreign Ministers concerned, as requested. In reply the British Chargé d'Affaires and the French, American and Japanese Ministers said that all the remaining German consular officials will be allowed to obtain safe-conducts from their Consulates at Shanghai following the previous arrangement. The British Chargé d'Affaires also stated that the time limit given in the safe-conducts will be quite sufficient for the purpose and that as regards the German postal officials, the Legation has now been instructed by the British Government not to give them safe-conducts.

Although the American Government consents to let the German consular officials pass through America, the American Minister has notified me that this will be the last time that such a facility can be accorded. Therefore, I earnestly request that Your Excellency will be good enough to advise the remaining German consular officials to leave all in one party.

I avail, etc.

[sd.] Wu Ting-fang.

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No. 85.

The Minister of Foreign Affairs to the Commissioner of Foreign Affairs at Shanghai.

[*Express Letter—Translation*]

Peking, 23rd day, 5th month.

6th year of the Republic.

[May 23, 1917.]

Sir :

With regard to the departure of the remaining German Consular officials for Germany, this Ministry has already consulted the British, French, American and Japanese Ministers, and they replied that following former arrangements, the said safe-conducts will be issued by their respective Consuls at Shanghai. The British Chargé d'Affaires further stated that the time limit given in the safe-conducts will be quite sufficient for the purpose, and that he has received instructions from his Government not to issue safe-conducts to German postal officials.

Though the American Government consents to let German consular officials pass through America, the American Minister has notified this Ministry that this is to be the last time that such permission can be given. Please inform these remaining German consular officials to leave all in one party.

I have, etc.

[sd.] Wu Ting-fang.

No. 86.

The Ministry of Foreign Affairs to the Netherlands Minister at Peking.

[*Memorandum—Translation*.]

Peking, 23rd day, 5th month,

6th year of the Republic.

[May 23, 1917.]

The Ministry of Foreign Affairs has received a telegram dated the 19th inst. from Mr. Koo, the Chinese Minister at Washington, which reads as follows :

" After the second party of German consular officials totalling forty-seven persons arrived at San Francisco, their safe-conducts were taken back by this Legation and in conjunction with the Department

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of State, the matter has been satisfactorily arranged with the different Embassies concerned. This afternoon a representative of the American Government escorted the party to New York where they went on board the S.S. "Christiania fjord" which sailed for Bergen."

The Ministry takes pleasure in transmitting the above communication for the perusal of his Excellency the Netherlands Minister.

No. 87.

The Commissioner of Foreign Affairs at Shanghai to the Minister of Foreign Affairs.

[Report—Translation.]

Shanghai, 19th day, 7th month,
6th year of the Republic.

[July 19, 1917.]

Your Excellency:

Hereby I beg to report on the departure of the second party of German Consuls together with their staffs and families.

The second party of German Consular officers consisted of thirty-four persons in all. They went on board the Dutch steamship *Julianna* and left Woosung on the 1st inst. at 3 p.m. This Bureau sent a representative to escort them to the ship, who secured from them a written statement to certify their safe departure from this country.

As regards the German Consul-General, Mr. Knipping and the Vice-Consul, Mr. Schirmier, upon receipt of a letter from the Netherlands Consul-General, stating that they were prevented from travelling with the party owing to illness, I at once delegated Secretary Chen Shih-kuang of this Bureau, to proceed to the residence of the German Consul to make inquiry and to advise them to leave without delay. Subsequently, a detailed report was made by the said delegate to the following effect :

"In accordance with your instructions I went to the German Consul's residence at No. 10 Wham-poo Road, Hungkow and was received by him in two of the bed rooms. I informed him that according to telegraphic instructions received from the Ministry, it was the last time that the American Government would issue safe-conducts to allow them return to their country via San Francisco, and that there would not be another opportunity hereafter. The interview lasted twenty minutes during which I did the best I could to

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persuade him to leave with the others. Mr. Knipping replied that he had been suffering from fever for the last fortnight and had actually lost weight by more than 20 pounds. His illness was certified to by Dr. G. Blumenstock who would not advise him to leave his bed for at least a week. I also saw a bag of ice and electric belts in his bed.

Mr. Schirmer, the Vice-consul and Interpreter was also interviewed in a bed-room. He said that he originally intended to leave with this party and that owing to a relapse of his old illness he went to the Shanghai General Hospital a few days ago and asked an English doctor, Dr. N. Macleod, to make an X-ray examination of his person. Besides, on account of the hot weather, he thought that he was too feeble to take a long journey of two months' duration which might make his case still worse. The certificate of his doctor had already been handed to the Netherlands Consul-General to be forwarded to the Commissioner's Bureau.

"The German Consul-General also stated that he had intended to go to the Shanghai Hospital for medical treatment but he had concluded it would be inconvenient for him to do so because all the inmates of that hospital were English," etc., etc.

Later on, the Netherlands Consul-General handed to me the doctor's certificates certifying that it was inadvisable for the said German Consular officials to leave with the party. I have already reported on the matter by telegraph on the 1st inst.

I hereby respectfully submit this report on the departure of the second party of German consular officials and their families, together with a list of their names, and a written statement of their safe departure and a Chinese translation of the same for Your Excellency's persual.

[sd] Chu Chao-hsin,

Enclosure : as stated.

(*Inclosure.*)

LIST.

Of the German Consular Officials and their families and servants, who are ready to leave China for Germany by the Netherlands mail-steamer *Prinses Juliana* on the 26th June 1917.

Title.	Name.	Surname	Maiden-name.	Age.	Personal Status.
SHANGHAI.					
Interpreter,	Dr. Pernitzsch	Gerhard		35	single.
Secretary,	Jecke	Carl		43	married.

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Secretary,	Mrs. Jecke Gunther	Charlotte Paul	Mayer	34 30	married.
Secretary,	Mrs. Gunther Lamla	Olga Johann	Zinke	29 31	
Assistant,	Schoepe	August		33	single

CHUNGKING.

Act. Consul,	Dr. Bethcke	Max		42	single
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CHANGSHA.

Consul,	Dr. Merklinghaus	Peter		49	married.
	Mrs. Merklinghaus	Kaete	Schmidt	32	
	Merklinghaus	(Heinz Otto		7	
	Merklinghaus	Wolfgang		3½	

HANKOW.

Commercial Attache,	Schoenherr	Hans		35	single
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SWATOW

Consul,	Dr. von Borch	Herbert		41	married
	Mrs. von Borch	Elsbeth	Schmidt	30	
	von Borch	Herbert		7	
	von Borch	Asta		3	
	Nurse Kolb	Luice		23	single
Secretary,	Baron von Ruffin Heinrich			54	single

CANTON.

Act. Consul,	Tigges	Alex		38	single
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HOIHOW.

Consul,	Dr. Nord	Adolf		39	single
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PAKHOI.

Act. Consul,	Metzelthin	Theodor		41	married
	Mrs. Metzelthin	Pearl	Neufeld	32	

YUNNANFU.

Consul,	Weiss	Fritz		40	married
	Mrs. Weiss	Hedwig Sonnenburg		27	
	Weiss	Jutta		2½	

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Weiss	Alice	I
Nurse Fense	Else	28 single

ICHANG.

Secretary,	Hoinka	Joseph	39 married
Mrs. Hoinka		Olga	Heyder 30
Hoinka		Alfred	1 month (infant)

TSINANFU.

Mrs. Holzhauer	Frida	Kuhn 36 (wife of interpreter)
Holzhauer	Gotz	9 months (infant)
Nurse Ley	Ella	24 single.

(Inlosure 2—Copy.)

Written Statement of Safe Departure.

At the request of Mr. Chen, Secretary of the Special Envoy for Foreign Affairs, I am very pleased to state, that all the arrangements for the transfer of the Consular Officials from Shanghai to Woosung on board the Dutch Steamer *Juliana* were very carefully and excellently made.

Dr. Jur. P. Merklinghaus,
Consul for Germany.

1st July, 1917.

No. 88.

Passport issued to the Austrian Minister.

[Translation.]

Wai Chiao Pu.

To all whom it may Concern:

WHEREAS His Excellency A. von Rosthorn, Envoy Extraordinary and Minister Plenipotentiary of Austria-Hungary to China, his Legation Staff, his family and retinue, are to leave the country.

IT IS HEREBY ORDERED that throughout the route to be traveled by the said Minister, etc., all civil and military officials of the localities concerned shall honor this passport, and permit passage without hindrance, and accord proper protection.

GIVEN on the Fourteenth Day of the Eighth Month, the Sixth Year of the Chung Hua Republic.

[August 14, 1917.]

[seal.]

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No. 89.

*The Minister of Foreign Affairs to the Netherlands Minister
at Peking.*

[*Letter—Translation.*]

Peking, 21st day, 8th month,
6th year of the Republic.

[August 21, 1917.]

Sir :

On the fourteenth instant, upon China's declaring war on Austria-Hungary, this Ministry immediately issued passports and caused them to be delivered to the Austrian Minister M. von Rosthorn at Peking, in person, for his departure from the country. However, in view of the uncertainty of the sailings for Europe, no date was specified for the departure of the said Minister.

According to the common practice of nations, after two countries have declared war on each other, the respective Ministers of the enemy countries must not remain longer than is necessary to make preparations for their departure. Therefore, we beg your Excellency to advise the former Austrian Minister M. von Rosthorn to take passage by the next neutral steamer sailing from Shanghai to return to his home country, and to order all Austrian consuls and officials to leave together by the same boat. We further beg your Excellency to inform this Ministry at an early date of the identity of the boat, the date of departure and the route by which the said Minister will travel, and also to furnish us a list of the whole party giving their names, with their photographs attached thereto in order that this Ministry may request the Allied Governments to issue them safe-conducts.

I avail, etc.

[sd.] Wang Ta-hsieh.

No. 90.

The Netherlands Minister at Peking to the Minister of Foreign Affairs
[*Letter—Translation.*]

Sir :

Peking, August 25, 1917.

I have the honor to acknowledge the receipt of your note of the 21st instant which has received my attention.

The former Austrian Minister, M. von Rosthorn, accompanied by his Legation staff and all the consuls and consular officials under his

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jurisdiction, and their families and retinues, intends to return to his home country by the Dutch steamer *Oranje*. The said steamer will sail from Shanghai for San Francisco on or about the 15th of next month. From San Francisco Minister Rosthorn and his party will travel across the United States of America and then transfer to another steamer destined for Holland or a sea-port of Norway, Sweden or Denmark, from whence they will proceed to return to Austria-Hungary.

The photographs of the members of the returning party will be sent to your Ministry in a day or two. But the photographs of the members of the Austrian Consulate-General at Shanghai will not be inclosed therewith, for the reason that on the 22nd instant, your Excellency informed me in person that the safe-conducts for the returning members of the said Consulate-General will be procured by the Special Commissioner of Foreign Affairs at Shanghai.

On the 22nd instant, I personally handed to your Excellency a list of the returning Austrian Officials from which the names of the former Austrian Consular officials at Tientsin were omitted. A supplementary list is sent to your Ministry herewith.

I have the honor further to request your Excellency to permit the former clerk of the Austrian Legation Kristinus, the former clerk of the Austrian Consulate at Tientsin Krill, and the former clerk of the Austrian Consulate-General at Shanghai Winkler, to remain in China to assist me in taking charge of the affairs of nationals of the Dual Monarchy of Austria-Hungary.

I avail, etc.

[sd] Beelaerts van Blokland.

Enclosure : as stated.

(Enclosure).

List of members of the Austrian Consulate at Tientsin.

Herr K. und K. Konsul Hugo Schumpeter.

Herr K. und K. Konsuls-Offizial Friedrich Künzel.

Herr K. und K. Konsuls-Offizial Alexander Lindenmeyer.

Herr K. und K. Linienschiffleutnant Vladimir von Mariasevic.

(Herr Honorarbeamte A. Günther.)

Nota : According to Mr. Shen, Secretary of the Ministry, the Netherlands Legation has stated that the gentleman whose name is within the parenthesis, is a typist and is to remain in China.

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No. 91.

The Minister of Foreign Affairs to the French, American and Japanese Ministers and the British Chargé d'Affaires, at Peking.

[Circular Letter—Translation.]

Peking, 28th day, 8th month,
6th year of the Republic.

[August 28, 1917.]

Your Excellency :

I beg to inform Your Excellency that Dr. A. von Rosthorn, the Austrian Minister proposes to leave this country with the members of his Legation, the Austrian Consuls, and all their families by the Dutch steamer S.S. *Oranje* which will sail from Shanghai on or about the 15th of September for San Francisco from where they will travel across the United States and then take another steamer to proceed to a port in Holland, Norway, Sweden, or Denmark. I have the honor to ask Your Excellency to be good enough to request Your Government by telegraph* to issue to the said Minister, etc., etc., safe-conducts in order to enable them to return to their own country.

I beg to enclose herewith a list of the members of the Austrian Legation in Peking together with the names of the members of the Austrian Consulates at Tientsin and Chefoo. As to the safe-conducts required by the Austrian Consular Officers at Shanghai, Your Excellency is further requested to instruct your Consul-General at Shanghai to issue them directly.

Hoping to have the favor of your early reply,

I avail, etc.

[sd.] Wang Ta-hsieh.

Enclosure : as stated.

[Enclosure omitted.]

* Note: In the letter to the American Minister there were inserted at this place the following words "to grant passage and".

No. 92.

The Minister of Foreign Affairs to the Portuguese, Russian, Italian and Belgian Ministers at Peking.

[Circular Letter—Translation.]

Peking, 29th day, 8th month,
6th year of the Republic.

[August 29, 1917.]

Your Excellency :

I beg to inform Your Excellency that Dr. A. von Rosthorn, the Austrian Minister proposes to leave this country with the members of

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his Legation, the Austrian Consuls, and all their families by the Dutch steamer *S. S. Oranje* which will set sail from Shanghai on or about September 15 for San Francisco from whence they will travel across the United States and then transfer to another steamer to proceed to a port in Holland, Norway, Sweden, or Denmark.

Should there be any squadrons of your country on the route to be taken by the said Minister and his party, I would request that Your Excellency will request your Government by telegraph to issue safe-conducts to the party in order to enable them to return to their own country.

Hoping to have the favor of your early reply.

I avail, etc.

[sd.] Wang Ta-hsieh.

No. 93.

The French Minister at Peking to the Minister of Foreign Affairs.

[*Letter—Translation.*]

Peking, August 29th, 1917.

Your Excellency :

I have the honor to acknowledge the receipt of Your Excellency's letter of the 28th inst. requesting the issue of safe-conducts to the Austrian Minister, the members of the Austrian Legation and Consulates as well as their families, who will leave Shanghai on or about the 15th of September for San Francisco and will ultimately proceed to Holland or to one of the Scandinavian countries.

I have immediately conveyed Your Excellency's request to my Government by telegraph. But in examining the attached list I find therein the names of Captains Gayer and Topil, two Austrian officers who are actively serving in the army of a country which is at war with China. They are, therefore, not entitled to enjoy the privilege of safe-conduct, and apparently they ought to be interned.

With regard to the issue of safe-conducts to the Austrian consular officers at Shanghai, I shall instruct the French Consul-General at that port to issue them in accordance with the request of Your Excellency.

I avail, etc.

[sd.] A. R. Conty.

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No. 94.

The Italian Minister at Peking to the Minister of Foreign Affairs.

[*Letter—Translation.*]

Peking, August 30th, 1917.

Your Excellency:

I have the honor to acknowledge the receipt of Your Excellency's letter of the 29th inst. with reference to the route which the Austrian Minister and his party propose to take in returning home *via* the Pacific Ocean, America and a north European seaport.

As there is no Italian squadron of any kind patrolling the said route, there is no interference whatever to be expected from that quarter. Taking the case of the German Minister as a precedent, the British and French safe-conducts alone were sufficient to remove all obstacles. But should Your Excellency make a special request for Italian safe-conducts, I shall be glad to telegraph to my Government to arrange the matter accordingly.

I avail, etc.

[sd.] Aliotti.

No. 95.

The Russian Legation at Peking to the Minister of Foreign Affairs.

[*Letter—Translation.*]

Peking, August 30th, 1917.

Your Excellency:

We have the honor to acknowledge the receipt of Your Excellency's letter of the 29th inst. in regard to the departure of the Austrian Minister, Dr. A. von Rosthorn, the members of the Austrian Legation and consulates and all their families.

In reply we beg to request Your Excellency to send to us a full list in a foreign language of the persons who intend to accompany the Austrian Minister on his return home with their official titles and photographs attached thereto.

We have, etc.

[sd.] The Russian Legation.

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No. 96.

The Minister of Foreign Affairs to the Russian Minister at Peking.

[*Letter—Translation.*]

Peking, 1st day, 9th month,

6th year of the Republic.

[September 1, 1917.]

Sir :

I have the honor to acknowledge the receipt of Your Excellency's letter requesting a list of the personnel of the Austrian Minister's party written in a foreign language, together with their photographs.

Herewith I beg to forward to Your Excellency a copy of the said list. As to the photographs, they will be sent to Your Excellency as soon as we shall have completely collected them.

In addition to the above list there is a certain Dr. Anton Arnold, a German adviser to the Ministry of Finance who wishes to return home in the party of the Austrian Minister. I have the honor to request that Your Excellency will request your Government to grant him a safe-conduct as well.

With regard to the safe-conducts required by the Austrian Consular Officers at Shanghai, I beg to propose that Your Excellency will instruct the Russian Consul-General at that port to issue them there directly.

I avail, etc.

[sd.] Wang Ta-hsieh.

Enclosure : as stated.

[Enclosure omitted.]

No. 97.

The Japanese Minister at Peking to the Minister of Foreign Affairs.

[*Letter—Translation.*]

Peking, 2nd day, 9th month,

6th year of Taisho,

[September 2, 1917.]

Your Excellency :

I have the honor to acknowledge the receipt of Your Excellency's letter of August 28th requesting the issue of safe-conducts to the Austrian Minister, the members of the Austrian Legation and Consulates and their families, who will leave Shanghai by the Dutch steamer S.S. "Oranje" on or about the 15th of Sept. for San Francisco and will then return to Austria via America, etc.

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In reply I have the honor to state that with the exception of three Austrian officers, whose names are contained in the herein annexed list, I agree to issue to the Austrian Minister, his staff and their families the required safe-conducts. Please send me their respective photographs at Your Excellency's earliest convenience.

With regard to the safe-conducts required by the Austrian Consular officers at Tientsin and Chefoo, barring those who are in the actual military service of Austria-Hungary, I have already instructed the Imperial Japanese Consuls at those ports to issue them accordingly. So they may be obtained from the Imperial Japanese Consulates at those ports either by the Chinese Commissioners of Foreign Affairs directly or through the medium of the Netherlands Consuls.

As to the safe-conducts required by the Austrian consular officers at Shanghai, I have already instructed by telegraph the Imperial Japanese Consul-General at that port to issue the same.

I avail, etc.

[sd.] Hayashi.

Capt. O. Gayer.

Capt. H. Topil.

Linienschiffsleutnant Vladimer von Mariasevic.

No. 98.

The Minister of Foreign Affairs to the American, French, Russian, and Japanese Ministers, and the British Chargé d'Affaires at Peking.

[Circular Letter—Translation.]

Peking, 4th day, 9th month,
6th year of the Republic.

[September 4, 1917.]

Your Excellency :

Recently I had the honor to write to your Excellency with reference to the matter of the issuance of safe-conducts to the Austrian Minister Dr. A. von Rosthorn, his Legation staff and members of the Austrian Consulates, and their families, who are to return home. Now I beg to send to your Excellency photographs of the Austrian Minister, the members of the Austrian Legation and consulates at Tientsin and Chefoo, together with a foreign language list of the personnel of the party. I shall be much obliged if your Excellency will issue to them the safe-conducts accordingly.

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The Austrian vice-consul at Chefoo, Baron M. von Babo and his wife Baroness Babo propose to sail directly from Chefoo to Shanghai, where they will wait to join the party of the Austrian Minister. Therefore, I have the honor to request that Your Excellency will instruct your Consul at Chefoo by telegraph to issue to them a special short-term safe-conduct for the voyage between Chefoo and Shanghai.

I avail, etc.

[sd.] Wang Ta-hsieh.

Enclosures :

15 photographs

1 list.

[Enclosures omitted.]

No. 99.

The American Minister at Peking to the Minister of Foreign Affairs.

[*Letter—Copy.*]

Peking, September 5th, 1917.

Excellency :

I have the honor to acknowledge the receipt of Your Excellency's Notes of August 28th, in regard to safe-conducts to enable the Austrian Minister and his party to return home, and of Sept. 1st, in regard to safe-conducts for certain German ladies, who wish to return home in company with the Austrian Minister.

In reply I have the honor to state that I referred these matters to my Government and have now received a reply, authorising the issue of safe-conducts to the persons referred to in your two notes to travel across United States territory, with the reservation of the right of search.

I avail, etc.

For the American Minister,

[sd.] J. V. A. MacMurray,
Secretary of Legation.

No. 100.

The American Minister at Peking to the Minister of Foreign Affairs.

[*Letter—Copy.*]

Peking, Sept. 7th, 1917.

Excellency :

I have the honor to acknowledge the receipt of Your Excellency's notes of recent date in reference to the issue of safe-conducts.

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In reply I have to enclose herewith safe-conducts for the Austro-Hungarian Minister and staff and to state that instructions have been telegraphed to the American Consul at Chefoo as requested, in reference to short term safe-conducts from Chefoo to Shanghai for the Austro-Hungarian Vice-Consul at Chefoo. Instructions have also been sent to the American Consul-General at Shanghai, that upon application being made to the Consulate General through the appropriate Chinese authorities at Shanghai and on the condition that like safe-conducts are granted by the British and French authorities, he is to issue safe-conducts for the Austro-Hungarian Consular Officials at Tientsin, Chefoo and Shanghai and also to the German ladies and children mentioned in your note of Sept. 1st.

No authority has yet been received by the Legation from the United States Government to issue safe-conducts for any other enemy subjects, with a view to their leaving Shanghai for the United States by the Dutch steamer *Oranje* on the 15th of September, although application has been made for authorization to grant safe-conducts to the German Consular Officials still remaining in China (including, among others, those mentioned in your note of September 4th.), providing they can leave China by this boat.

I avail, etc.

For the American Minister,
[sd.] J. V. A. MacMurray,

Enclosures: as stated.

Secretary of Legation.

[Enclosures omitted.]

No. 101.

The French Minister at Peking to the Minister of Foreign Affairs.

[*Letter—Translation.*]

Peking, September 7th, 1917.

Your Excellency:

With reference to Your Excellency's letter of the 4th inst., I have the honor to send to your Ministry the safe-conduct which I have just issued in accordance with the personnel of the Austrian Legation and the Austrian consulates at Tientsin and Chefoo.

This safe-conduct is issued only to those persons whose names are in the list which Your Excellency sent me with your last letter. As Dr. Grimm and Mr. A. Günyher, although their names were in the list, have now decided not to leave with the Austrian Minister

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and his suite, their names have been consequently erased from the list in the said safe-conduct.

On the other hand, I have telegraphed the French Consul-General at Shanghai, informing him of the approaching arrival of the persons stated in the above-mentioned list, and instructing him in consultation with the Allied Consular Body to issue safe-conducts to those members of the German and Austrian Consular staff who are still at Shanghai.

I avail, etc.

[sd.] A. R. Conty.

No. 102.

The Japanese Minister at Peking to the Minister of Foreign Affairs.

[*Letter—Translation.*]

Peking, 8th day, 9th month,
6th year of Taisho,
[Sept. 8, 1917.]

Your Excellency:

I have the honor to acknowledge the receipt of Your Excellency's letter of the 4th inst., together with a list of names and photographs with reference to the matter of the issue of safe-conducts to the Austrian Minister M. A. von Rosthorn, and the members of the Austrian Legation and Consulates as well as their families.

In reply I have the honor to state that, of the above mentioned parties I have already agreed to grant safe-conducts to the Austrian Minister and the members of the Austrian Legation as well as their families, whose names totalling ten in number are to be found in the annexed list No. 1. Their safe-conducts are enclosed to Your Excellency under a separate cover. I trust that Your Excellency will receive them and forward the same to the respective parties.

With regard to the five Austrian Consular Officials, who are grouped in the annexed list No. 2, their safe-conducts will be issued by the Imperial Japanese Consulates at the various ports as previously suggested in my letter of the 2nd inst. (No. 148). Under these circumstances, I beg to return to Your Excellency herewith their photographs, which may be sent to your local authorities or the Netherlands' Consuls at the various ports in order to enable them to apply directly for the required safe-conducts to the Imperial Japanese Consuls.

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As to the short term safe-conducts for the journey to be made by the members of the Austrian Consulate from Chefoo to Shanghai, since the Imperial Japanese Consul at Chefoo is to issue the safe-conducts to the members of the Austrian Consulate at Chefoo as arranged above, there is no necessity for issuing the said short term safe-conducts from Chefoo to Shanghai.

I avail, etc.

[sd.] Hayashi.

Enclosures : as stated.

[Enclosures omitted.]

No. 103.

The Minister of Foreign Affairs to the Netherlands Minister at Peking.

[*Letter—Translation.*]

Peking, 8th day, 9th month,
6th year of the Republic.

[September 8, 1917.]

Sir :

In your note of the 25th ultimo, it is stated that "the former Austrian Minister M. von Rosthorn intends to take his staff of Legation and all the consuls and consular officials under his jurisdiction, and their families and retinues, to return to his home country by the Dutch steamer *Oranje*. The said steamer will sail from Shanghai for San Francisco on or about the 15th of next month," etc. In accordance therewith, this Ministry immediately requested the Ministers of the several countries concerned to issue safe-conducts. Now that the date above referred to is drawing close, we beg your Excellency to inform us as soon as possible of the exact date on which the Austrian Minister M. von Rosthorn will leave Peking, in order that we may notify the Ministry of Communications to prepare a special train and to provide protection for the said Minister and his party while leaving the country.

As respects the group of German women who desire to return to their country in the party of the Austrian Minister, we have already complied with your request and requested the Ministers of the countries concerned to issue safe-conducts accordingly. And we wish to request Your Excellency to send photographs of the German women to us immediately for the purpose of completing the said safe-conducts.

I avail, etc.

[sd.] Wang Ta-hsieh.

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No. 104.

The British Chargé d'Affaires at Peking to the Minister of Foreign Affairs.

[*Letter—Translation.*]

Peking, Sept. 9th, 1917.

Excellency :

With reference to the matter of the issue of safe-conducts to the enemy subjects I have the honor to acknowledge the receipt of Your Excellency's letters of recent dates.

In reply I have the honor to enclose herewith a safe-conduct for the Austro-Hungarian Minister and his staff as stated in Your Excellency's letter of the 4th inst., and to state that such safe-conducts issued to the enemy subjects at this time as well as every other time either by my Government or by order of my Government, are upon the condition that the British Government reserves to itself the right to search the luggage of the respective persons.

As to the safe-conducts required by the Austro-Hungarian Consular Officials at Tientsin and Chefoo, they will be issued by the British Consul-General at Shanghai upon the application for the same by the Netherlands Consul-General at the latter port.

With regard to your request of the 8th inst. for the issue of a safe-conduct to Anton Arnold and your request of the 1st inst. for several safe-conducts to certain German ladies, I have the honor to give my compliance to the same and to request that the photographs of the said German ladies be sent to me at Your Excellency's earliest convenience.

I avail, etc.

[sd.] B. Alston.

Enclosure : as stated.

[Enclosure omitted.]

No. 105.

The Netherlands Minister at Peking to the Minister of Foreign Affairs.

[*Letter—Translation.*]

Peking, September 11, 1917.

Sir :

I regret very much my having been unable until to-day to reply to your note of the 8th instant concerning the departure of the former Austrian Minister M. von Rosthorn, because we have not been able

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to obtain definitely the date of arrival of the Dutch steamer *Oranje* at Shanghai. Now, we have heard that that the said steamer will arrive at Woosung on the 16th of this month.

It is the wish of the former Austrian Minister M. von Rosthorn to arrive at Woosung just on time for the steamer to sail, instead of waiting for the steamer at Shanghai before its arrival. I have the honor specially to request Your Excellency to request the Ministry of Communications to fix the date for the train to leave Peking according to the desire of the former Austrian Minister M. von Rosthorn, and to notify us of the same in your reply. I further desire to know the time when the train will arrive at Tientsin, in order that I may advise the former Austrian consular officials there to avail themselves of the opportunity to go to Shanghai by the same train.

I avail, etc.

[sd.] Beelaerts van Blokland.

No. 106.

The Netherlands Minister at Peking to the Minister of Foreign Affairs.

[*Note—Translation.*]

Peking, Sept. 12, 1917.

Sir :

I have the honor to inform your Excellency with reference to the date of arrival of the Dutch steamer *Oranje* of which I notified you on the 11th instant, that I am now in receipt of a telegram from Shanghai stating that the said steamer will be two days late and will arrive at Woosung on the morning of the 18th instant, etc. Therefore, I beg leave to bring this information to your distinguished attention.

I avail, etc.

[sd.] Beelaerts van Blokland.

No. 107.

The Minister of Foreign Affairs to the Netherlands Minister at Peking.

[*Note—Translation.*]

Peking, 14th day, 9th month,
6th year of the Republic.

[September 14, 1917.]

Your Excellency :

I have the honor to acknowledge the receipt of your Excellency's note of August 25 in regard to the issue of safe-conducts to

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the Austrian Minister M. A. von Rosthorn, who proposes to leave Shanghai with the members of the Austrian Legation and Consulates and their families by the Dutch steamer *Oranje* which will sail on or about the 15th of September for San Francisco, from where they will travel across the United States of America and then take another steamer to proceed to a port in Holland, Norway, Sweden or Denmark.

In reply I have the honor to state that I have consulted the various foreign Ministers, concerned, at Peking, and have now successively received replies from the British, French, Japanese, American and Russian Ministers, transmitting to me the safe-conducts for the Austrian Minister and his party, as requested, with the statement, that the right of search of the baggage is reserved. With the exception of Capt. O. Gayer, commander of the Legation Guards, whose safe-conduct will have to be sent to Your Excellency at a later date from the fact that it has not yet been issued by all the foreign Ministers concerned, I have the honor to enclose herewith eleven safe-conducts and request that Your Excellency will forward the same to the Austrian Minister and his party in accordance with the separate list attached hereto.

With regard to the safe-conducts required by the Austrian Consular Officials at Tientsin and Chefoo, I have the honor further to inform Your Excellency that, the French Minister has already granted these safe-conducts at Peking while the British, American, Japanese and Russian Ministers have authorized their respective consuls at Tientsin and Shanghai to issue the same.

I avail, etc.

[sd.] Wang Ta-hsieh.

Enclosures : as stated.

List of the safe-conducts issued by the various Legations to Dr. A. von Rosthorn, the Austrian Minister and his staff.

[Safe-conducts omitted.]

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No. 108.

The Minister of Foreign Affairs to the Netherlands Minister at Peking.

[*Letter—Translation.*]

Peking, 14th day, 9th month,
6th year of the Republic.

[September 14, 1917.]

Sir:

I have the honor to acknowledge the receipt of your letter in which your Excellency inquired as to the date of departure and the time schedule of the train by which the former Austrian Minister, M. von Rosthorn is to leave Peking, and I beg to further acknowledge the receipt of your letter to the effect that the Dutch steamer *Oranje* will arrive at Woosung on the morning of the 18th instant. We have accordingly requested the Ministry of Communications to prepare a special train which will leave the Chien-Men Station on September 16 promptly at eight o'clock a.m. and arrive at Woosung on the 17th instant approximately, at ten o'clock, in the evening. Wherefore, we beg of your Excellency to forward the notice herein contained to the former Austrian Minister, M. von Rosthorn.

I avail, etc.

[sd.] Wang Ta-hsieh.

No. 109.

The Minister of Foreign Affairs to the Netherlands Minister at Peking.

[*Letter—Translation.*]

Peking, 15th day, 9th month,
6th year of the Republic.

[September 15, 1917.]

Sir:

I have the honor to state that the previous arrangement for permitting certain German and Austrian consular officers to remain in China, was only for temporary convenience. Now it has been brought to my notice that some of these officers now remaining in China are interfering with our internal affairs. Apprehending untoward consequences, the Chinese Government deems it inconvenient to allow them remain in China any longer. As there are many neutral ships available, the said consular officers should be ordered to leave this country without exception. I have already

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arranged with the Allied Ministers, with reference to their safe-conducts which will be issued by the Allied Consuls at Shanghai upon application. I have the honor to request that Your Excellency will instruct all the said consular officers by telegraph to leave this country accordingly, and I shall be glad to have Your Excellency's favorable reply.

I have, etc.

[sd.] Wang Ta-hsieh.

No. 110.

The Netherlands Minister at Peking to the Minister of Foreign Affairs.

[*Note—Translation.*]

Peking, Sept. 15th, 1917.

Your Excellency:

I have the honor to acknowledge the receipt of Your Excellency's Note of the 14th inst., enclosing eleven safe-conducts issued by the various Legations for the former Austro-Hungarian Minister and his party to return home, together with a list attached thereto, and I have noticed the statement in your Note that these safe-conducts were issued with the reservation of the right to search the luggage, etc.

In reply I have the honor to state that according to the opinion of the Austro-Hungarian Government, the staff of the Legation is meant to include also the Legation Guards who should have the right of returning home, too. Therefore, the Government of Austria-Hungary protests against the detention of the Austro-Hungarian Legation Guards in China. But, in view of the present circumstances, with the exception of the Commander of the Austro-Hungarian Legation Guards, the other officers and privates may be detained in China in order to avoid any delay in the departure of Dr. A. von Rosthorn, the former Austro-Hungarian Minister.

I avail, etc.

[sd.] Beelaerts van Blokland.

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No. 111.

The Commissioner of Foreign Affairs for Kiangsu to the Minister of Foreign Affairs.

[*Report—Translation.*]

Shanghai, 20th day, 9th month,
6th year of the Republic.
[September 20, 1917.]

Your Excellency:

In confirmation of my telegraphic report regarding the departure of the Austro-Hungarian Minister, the German and the Austro-Hungarian Consuls, together with their staffs and families, I have the honor to submit to Your Excellency herewith a full report on the matter.

The party returning home with the Austrian Minister and the German and Austrian Consul-Generals consists of two detachments. Those in the first detachment are Dr. A. von Rosthorn, the Austro-Hungarian Minister, his Legation staff and their families, numbering 10 in all; the Austro-Hungarian Consul at Tientsin with his clerks forming a group of 3; and 11 German subjects including both men and women. They arrived at Shanghai on the 17th inst. at midnight and immediately left for Woosung. Those in the second detachment are the Austro-Hungarian Consul-General at Shanghai, his staff and their families totaling 15; the German Consul-General, his staff and their families totaling 20; and the Austro-Hungarian Consul and his wife. Both the first and second detachments, 61 persons in all, have embarked on the Dutch steamer *Oranje* which sailed from Woosung on the 18th instant. The whole party was carefully escorted to Woosung by a delegate of this Bureau with arrangements made to their satisfaction. Three certificates of safe departure were obtained from them: one from the Austro-Hungarian Minister; one from the Austro-Hungarian Consul-General and the other from the German Consul-General. As the original certificates must be kept by the Bureau for reference, only the copies of the same together with 4 lists of names are herewith enclosed for Your Excellency's perusal.

I have the honor to request that this report together with the enclosures herein attached be filed in the Ministry's archives.

Respectfully submitted,

[sd.] Sah Fu-mao,

Enclosures: as stated.

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(*Enclosure 1—Copy.*)

The courteous assistance of Mr. S. K. Chen was highly appreciated.

A. de Rosthorn.

Envoyé Extraordinaire et Ministre

Plénipotentiaire.

Woosung, S. S. *Oranje*, 18, Sept. 1917.

(*Enclosure 2—Copy.*)

Woosung, 18th Sept. 1917.

Dear Mr. Chen :

This is to thank you for all the excellent arrangements you made for the Austro-Hungarian Consular transport from Shanghai to Woosung and from there to the Netherlands Mail steamer *Oranje* on which I am leaving for good.

Everything you did was most considerate and very much appreciated by myself and the whole party.

Believe me, dear Mr. Chen,

Sincerely yours,

[sd.] K. Berbauer

Austro-Hungarian Consul-General.

S. K. Chen Esq.,

Chief Secretary to Special Envoy for Foreign Affairs,
Shanghai.

(*Inclosure 3—Copy.*)

Shanghai, 18th September, 1917.

Dear Mr. Chen,

Upon your request I herewith testify with great pleasure that all preparations made by you for my and Mr. Schirmer's etc. departure have been to our entire satisfaction. For all your kind endeavourings to make things easy and comfortable for our party we thank you very much.

With all our best wishes and compliments.

Yours truly,

[sd.] H. Knipping

H. F. M.'s Consul-General.

(*Enclosure 4—Copy.*)

LIST.

of former Austro-Hungarian Diplomatic and Consular Officials, their families and nurses, who are leaving Shanghai by the Netherlands Mail steamer *Oranje* on or about the 18th September 1917.

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PEKING.

<i>Title</i>	<i>Family and given name</i>
The Minister	Dr. Artur von Rosthorn
His wife	Mrs. von Rosthorn
Sister-in-law	Mrs. von Rosthorn
	Mrs. Kann
	Mr. Weinzel
	Mr. Bauer
	Mrs. Bauer
	Mrs. de Marteau
	Mr. Nagy
	Miss Zuchairaf

TIENTSIN.

<i>Title</i>	<i>Family and given name</i>
The Consul	Mr. Hugo Schuw Peter
Secretary	Mr. Kuenzel
Secretary	Mr. Alex. Lindenmayer

GHEFOO.

<i>Title</i>	<i>Family and given name</i>
The Vice-Consul	Max Baron von Babe
His wife	Baronin von Babe.

SHANGHAI.

<i>Title</i>	<i>Family and given name</i>
Consul-General	Adolf Kunz
Secretary	Franz Winkler
Mrs.	V. Winkler
Secretary	Fritz Nitura
Interpreter stud.	Ludwig Peter
Stenotypist	Miss S. Grün
Technical Attaché	K. J. Hora
Mrs.	Hora
Miss	Hora
Master	Hora

<i>Title</i>	<i>Family and given name</i>
Representative of	
Royal Hungarian	
Commercial museum	Kars, Moriz
Austrian Government	
Wireless Operator on	

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board S.S. <i>China</i> .	Bajor, Anton
Ditto on board the S.S. <i>Silesia</i> .	Steinacker, Hans
Ditto on board the S.S. <i>Bohemia</i> .	Keil, Franz Josef (Enclosure 5—Copy.)

LIST

of former German Consular Officials, their families and nurse who are leaving China by the Netherlands Mail steamer *Oranje* on or about 18th September 1917.

<i>Title</i>	<i>Family and given name.</i>
Consul-General	Knipping, H.
Nurse	Schüle, Itha.
Vice-Consul	Schirmer, K.
Mrs.	Schirmer, J. C.
Nurse	Schirmer, Brigithe
Vice-Consul	Schirmer, Hans.
Chancellor	Schwäbe, Bertha.
Mrs.	von Tippelskirch, Kurt.
Nurse	Gätjen, Hermann
Assistant	Gätjen, Anny
Mrs.	Gätjen, Hermann, Bernhard
	Gätjen, Albrecht
	Gätjen, Ingeborg
	Gätjen, Hildegard (no photos.)
Nurse	Strickrodt, Frieda (Miss).
	Schols, Paul
Mrs.	Schols, Clara
	Schols, Elsa (Miss)
	Schols, Krich
	Schols, Wilhelm

German subjects accompanying the family of the Austro-Hungarian Minister Peking :

Dr. Arnold
Miss Buthenthaler
Mrs. Boss
Mrs. Strasser and Child
Mrs. Pfutzenreuter and 2 children
Mrs. Ahlers
Miss Ahlers
Miss Kroker



PART IV.

Rules and Regulations relating to the War.



RULES AND REGULATIONS RELATING TO THE WAR.

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No. 112.

Regulations concerning Mail Bags dispatched to and from Germany.

A Ministerial Order to the Director-General of the Postal Service.

[*Translation.*]

Your report No. 60 is noted. With respect to the delivery of German mail bags, this Ministry has adopted the following rules of procedure :

(1) In view of the fact that Japan, after having joined the Allies, still maintains her postal service with Germany, China, having only severed her diplomatic relations with Germany, will therefore continue to send mail bags to Germany, but will not send them through the German postal agencies in China.

(2) Mail bags dispatched from Germany, if destined for our post offices shall be accepted ; but if destined for German postal agencies in China, they shall not be forwarded or delivered by our post offices.

(3) Mail matter dispatched from Germany or carried in the mail bags of other countries either marked for German postal agencies in China or marked to be carried in Chinese mail bags shall not be forwarded or delivered.

The date, however, on which both this Article and Article (2) shall come into force, will have to be fixed with some margin : the Directorate-General of Post shall notify by telegraph such German post offices and other foreign post-offices as may be concerned, of this regulation.

(4) It has been the practice since the fourth year of the Republic, when our Government extended this courtesy to Germany at the request of the German Minister at Peking, to forward German mail bags from Swatow and Changsha. At present, as our diplomatic relations with Germany have been broken off, such courtesy may no longer be extended, and consequently the practice of despatching German mail bags from Swatow and Changsha shall cease as a matter of course.

You are hereby instructed to act in accordance with all the rules above set forth.

[seal] Ministry of Communications.

Peking, 22nd day, 3rd month,
6th year of the Republic.

[March 22, 1917.]

OFFICIAL DOCUMENTS RELATING TO THE WAR.

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No. 113.

The Minister of Foreign Affairs to the Netherlands Minister at Peking.

[*Letter—Translation.*]

Peking, 10th day, 4th month,
6th year of the Republic.

April 10, 1917.

Excellency :

I have the honor to inform you that I have received a dispatch from the Ministry of Communications stating that as China has severed her diplomatic relations with Germany, the practice of exchanging mail matter in China between the German Postal Agency and our Post Office shall immediately cease for the time being, and that letters mailed by German residents in China may for the present still be accepted and delivered as usual by our Postal Service, provided that they bear Chinese postage stamps and are mailed in the Chinese Post Offices.

I have therefore the honor to request Your Excellency to take note of these new regulations and to notify all the German subjects in Peking of the same.

I avail, etc.

[sd.] Wu Ting-fang.

No. 114.

A Public Proclamation of the Ministry of Communications.

[*Translation.*]

The public is hereby informed that since the Government has already declared war against Germany and Austria-Hungary, due precautions should be taken that all mail matter transmitted within this country as well as that carried between this country and foreign countries, shall be subject to a censorship. With the exception of Germany and Austria-Hungary, all other countries, which have established post-offices in China, may appoint their own censors. The public is further notified by this proclamation of the substance of the provisions contained in the regulations which have been adopted by the Government governing the censor of mail matter, as follows :

RULES AND REGULATIONS RELATING TO THE WAR.

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1. All mail matter passing between citizens of the Republic and enemy subjects or the subjects or citizens of other countries, shall be subject to the censorship.

2. All dispatches of the Government offices and organs as well as the dispatches of the various Legations and Consulates, shall be exempt from the censorship.

3. A board of censors shall be established in every important locality and the post-offices of all the trading ports.

4. The censors shall be carefully selected and appointed by the high officials of each province.

5. Every piece of mail matter, after having been passed by the censor, shall be stamped with a seal bearing both Chinese and English inscriptions indicating the same.

6. The censoring of each piece of mail matter shall be done promptly in order to occasion the least possible delay.

7. The censors shall be held strictly responsible for the secrecy of the contents of the mail matter opened by them.

Peking, 14th day, 8th month,
6th year of the Republic.

[August 14, 1917.]

No. 115.

A Presidential Mandate.

[*Translation.*]

We hereby promulgate the rules and regulations governing the Prize Court.

[Seal of the President.]

Peking, 30th day, 10th month,
6th year of the Republic.

[October 30th, 1917.]

Countersigned by

Tuan Chi-jui,	Premier.
Wang Ta-hsich,	Minister of Foreign Affairs.
Liu Kwan-hsiung,	Minister of the Navy.
Lin Chang-min,	Minister of Justice.

OFFICIAL DOCUMENTS RELATING TO THE WAR.

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No. 116.

Instructional Mandate No. XX.

[*Translation.*]

Prize Court Rules.

CHAPTER I.

GENERAL PROVISIONS.

Article 1.—All matters relating to captures at sea shall be adjudicated in the Prize Courts.

Article 2.—There shall be two classes of Prize Courts :—

- (a) The Local Prize Court.
- (b) The High Prize Court.

Article 3.—The High Prize Court shall be established in Peking. Local Prize Courts shall be established at places to be fixed and determined by Presidential Orders.

Article 4.—The High and the Local Prize Courts shall each be composed of :—

- One President.
- Eight Judges.
- Two Procurators, and
- Two Clerks.

Article 5.—The President of a High Court of Justice shall be appointed by the President of the Republic to act concurrently as the President of a Local Prize Court.

The following officials shall, on the recommendation of the Premier, be appointed by a Presidential Order to act concurrently as Judges of the Local Prize Court :—

- (a) Four Judges of a High Court of Justice.
- (b) Three Naval Officers.
- (c) One Special Commissioner of Foreign Affairs.

Procurators of a High Procuratorate shall, on the recommendation of the Premier, be appointed by a Presidential Order to act concurrently as the Procurators of a Local Prize Court.

The Clerks of a Local Prize Court shall be appointed by the President of the High Prize Court from among the Clerks of the various High Courts of Justice to act concurrently.

RULES AND REGULATIONS RELATING TO THE WAR.

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Article 6.—The President of the Supreme Court of Justice shall be appointed to act concurrently as the President of the High Prize Court, and the following officials as the Judges :—

Three Judges of the Supreme Court of Justice.

Two Officers of the Navy.

One Councillor of the Ministry of the Navy.

One Councillor of the Bureau of Law Compilation,
and

One Councillor of the Ministry of Foreign Affairs.

All these appointments shall be made by the President of the Republic.

Procurators of the Procurorate-General shall be appointed by the President of the Republic to act concurrently as the Procurators of the High Prize Court.

The Clerks of the High Prize Court shall be appointed on the recommendation of the President of the High Prize Court, from among the recommended class of Clerks of the Supreme Court of Justice to act concurrently.

Article 7.—The High and the Local Prize Courts may, as occasion arises, employ persons for clerical work or for other purposes.

Article 8.—In accordance with the regulations, no salary shall be paid to the President of the High Prize Court nor shall salaries be paid to those Officials of lesser rank who hold concurrent posts.

Article 9.—The President shall have the management of all the affairs connected with the Court ; and during the trial of any case he shall be the Chairman. If he is prevented by any reason from attending Court, one of the Judges may act as Chairman in his stead.

Article 10.—The Local Prize Court shall not sit for the hearing of a case unless the Chairman and the Judges present together number at least five members.

The High Prize Court shall not sit unless the Chairman and the Judges present number at least seven members.

Cases before the Court shall be decided by majority, but when the votes cast for and against are equal in number the Chairman shall decide.

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Article 11.—Sessions of the High and the Local Prize Courts shall be opened and closed as occasion arises by order of the Cabinet.

CHAPTER II.

PROCEDURE.

Article 12.—The Commander of the warship making the capture shall dispatch the captured ship to the port where the Local Prize Court is established and shall order a Prize officer to board and accompany the ship into the harbor and to deliver a written report of the capture to the Local Prize Court. But if owing to any circumstances beyond his control the ship cannot be so dispatched then only the written report shall be delivered.

This report shall give in detail the reasons for the capture as well as the facts which tend to prove that the capture was made in proper order. The report shall be accompanied by all papers and documents seized on board the captured ship.

Article 13.—On receipt of the report mentioned in the above Article, the President of the Local Prize Court shall appoint one of the Judges to take charge of the particular case.

The Judge in charge, except in cases where the report only is delivered as permitted in the first paragraph of the above Article, shall, basing himself upon the papers and documents delivered to the Court, personally go aboard the captured ship to inspect the cargo, and shall in conjunction with the Master of the ship, prepare a detailed inventory thereof.

Article 14.—The Judge in Charge shall order the Clerks to record in detail any statements made by the Master of the captured ship, the crew, the passengers and the owners of the cargo, as well as any evidence given by the prize officers who made the capture.

Article 15.—The Judge in Charge, when he considers it necessary, may order a referee to pass judgment upon any specified matter.

Article 16.—The Judge in Charge shall, after he has completed his investigation, at once prepare a report which, together with the report mentioned in Article 12 as well as the

RULES AND REGULATIONS RELATING TO THE WAR.

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accompanying papers and documents, shall be forwarded to the Procurators of the Local Prize Court.

Article 17.—The Procurators shall prepare a statement of their opinion and shall forward it together with the papers and documents mentioned in the above Article to the Local Prize Court.

Article 18.—If the Procurators are of the opinion that the captured ship or cargo should be released and the Local Prize Court is of the same opinion, the latter shall at once prepare a decree for its release and forward it to the Procurators.

Article 19.—If the Procurators are of the opinion that the captured ship or cargo should be condemned, or that it should be released while the Local Prize Court is of a different opinion, the Local Prize Court shall take the usual measures for making a public announcement.

The aforesaid public announcement shall comprise the publication of the substance of the case in the Government Gazette and of an English version thereof in English newspapers published in this country. Any party interested in the case may, within thirty days of the public announcement, submit a written petition to the Local Prize Court.

Article 20.—The petition shall state the following particulars to be accompanied by such documents as may be used as evidence :—

- (a) The petitioner's full name, nationality, residential address, age and occupation.
- (b) The important reasons for the petition.

Article 21.—The Petitioner may be represented only by lawyers of the Republic of China.

Article 22.—If no interested party has entered a petition on the expiration of the time prescribed in the second clause of Article 19, the Local Prize Court may at once commence with the trial, and on the Procurators' request the case may be adjudicated without going through the usual Procedure.

Article 23.—If a petition is submitted within the time limit, the Local Prize Court shall set a day for commencing the trial.

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If the Petitioner absents himself without permission the case may be adjudicated in his absence.

Article 24.—After the trial the judgment shall be written out and announced within three days.

The written judgement shall be forwarded to the Procurators after its announcement, and a copy of it shall be made and delivered to the Petitioner.

Article 25.—Either the Procurators or the Petitioner may, within twenty days of the receipt of the judgment, file a protest with the Local Prize Court against its judgement.

The Protest shall state the following particulars :—

- (a) The Petitioner's full name, nationality, residential address, age, and occupation.
- (b) The Judgment of the Local Prize Court.
- (c) The reasons for the protest.

Article 26.—On receipt of the protest the Local Prize Court shall forward all the records connected with the case to the Procuratorate of the High Prize Court.

Article 27.—If no protest has been filed on the expiration of the time limit, the original judgment shall be final. But should the filing of a protest have been prevented by the act of God or the public enemy, the Local Prize Court on being informed thereof may, if it finds the facts alleged to be sustained by the evidence, permit a petition to be filed out of time.

Article 28.—On receipt of the protest, the High Prize Court shall, unless the time limit has expired, in which case the protest should be overruled, deliver a copy to the Petitioner if it is filed by the Procurators, and to the Procurators if it is filed by the Petitioner. A reply to the protest shall be submitted within ten days of its delivery.

Article 29.—The High Prize Court, when it considers necessary, may on its own account investigate the facts or the evidence of the case, or it may instruct the Local Prize Court to institute another investigation.

Article 30.—The High Prize Court shall, after investigation, at once hold meetings to examine the case upon the merits of the documents, but the judgment must be rendered in open court.

RULES AND REGULATIONS RELATING TO THE WAR.

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The Judgement shall be forwarded to the Procurators of the Local Prize Court and a copy thereof delivered to the Petitioner.

Article 31.—The case having been adjudicated, the essential points of the judgment shall be published in the Government Gazette.

Article 32.—During the time when the case is under examination, the Prize Courts shall entrust the captured ship and cargo to the naval authorities for custody.

The regulations for the above mentioned custody shall be made by the Minister of the Navy.

Article 33.—A condemned ship or cargo shall become the property of the State.

Article 34.—The judgement shall be executed by the Procurators of the Local Prize Court.

The Procurators may request the naval authorities and police officers to assist them in the execution of the judgment.

Article 35.—Detailed regulations of procedure shall be made by the Prize Courts themselves.

CHAPTER III.

SUPPLEMENTAL.

Article 36.—These regulations shall take effect from the day of their promulgation.

No. 117,

A Presidential Mandate.

[*Translation.*]

We hereby promulgate the Regulations Governing Captures at Sea.

[Seal of the President.]

Peking, 30th day, 10th month,
6th year of the Republic.

[October 30, 1917.]

Countersigned by

Tuan Chi-jui,
Wang Ta-hsieh,
Liu Kwan-hsiung,
Lin Chang-min,

Premier.
Minister of Foreign Affairs.
Minister of the Navy.
Minister of Justice.

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No. 118.

Instructional Mandate No. XXI.

[*Translation.*]

REGULATIONS GOVERNING CAPTURES AT SEA.

CHAPTER I.

GENERAL PROVISIONS.

Article 1.—Warships of the Republic of China may, during the war, visit, search, and capture merchant ships in accordance with these regulations.

Article 2.—No visit, search, or capture shall be made within the territorial waters of a neutral country or in other neutral zones specified by international treaties.

Article 3.—Ships referred to in these regulations as of enemy character are as follows :

- (1) Ships flying enemy flags.
- (2) Ships flying neutral flags but whose owners or some of whose owners are domiciled in enemy countries.
- (3) Ships employed by enemy countries.
- (4) Ships transferred to persons domiciled in the Republic, or in a neutral country, before the war but in anticipation of its outbreak or during the war and whose transfer has not yet been completed and is not shown to have been made in good faith.

Article 4.—Goods referred to as of enemy character are as follows :—

- (1) Goods owned by persons domiciled in enemy countries.
- (2) Goods consigned to enemy countries, or to enemy subjects, by persons domiciled in the Republic, or in a neutral country before the war but in anticipation of its outbreak or during the war.
- (3) Enemy goods transferred to persons domiciled in the Republic, or in a neutral Country before the war but in antieipation of its outbreak, or during the war, and whose transfer has not yet been completed and has no evidence of its having been made *bona fide*.

RULES AND REGULATIONS RELATING TO THE WAR.

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Article 5.—The domicile of a person is the definite district where he intends to reside permanently.

The domicile of a legal person is the place where its head office is established.

Article 6.—The term enemy country includes territory occupied by the enemy.

Article 7.—The ship's papers referred to are as follows:—

- (1) Certificate of Nationality of the vessel.
- (2) Passport.
- (3) Contract for Construction.
- (4) Charter Party.
- (5) Deed of Sale.
- (6) Muster Roll.
- (7) Permit for Navigation.
- (8) Logbook.
- (9) Ship's Journal.
- (10) Clearance papers.
- (11) Agreements for the employment of officers and crew.
- (12) Health Certificate.
- (13) Consignment papers.
- (14) Bills of Lading.
- (15) Freight List.

It is not necessary that all the above mentioned papers should be complete, but only those which are required to be kept by the law of the country to which the ship belongs.

Article 8.—Contraband of war is defined and regulated in the war time contraband regulations.

These regulations shall be issued separately.

Article 9.—Contraband persons are defined to be those persons in the military service of enemy countries.

Article 10.—A blockade is defined to be the effective prohibition of communication with an enemy port by a naval squadron.

The running of a blockade is defined to be an attempt to enter the area which has been notified as being under blockade.

Article 11.—A prize is defined to be that which has been condemned by a Prize Court.

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CHAPTER II.

VISIT.

Article 12.—The following merchant ships are subject to visit:—

- (1) Ships flying a Chinese or neutral flag but suspected of being an enemy ship.
- (2) Ships registered in the Republic but suspected of having embarked on trade with the enemy without special permission from the Government.
- (3) Ships registered in the Republic or in a neutral country but suspected of carrying contraband of war or contraband persons.
- (4) Ships registered in the Republic or in a neutral country but suspected of running a blockade.
- (5) Ships registered in the Republic or in a neutral country but suspected of rendering assistance to the enemy,

Article 13.—The Commanding Officer of a warship may order such suspected ships as are mentioned in the above Article to stop and await a visit to be conducted.

Orders for ships to stop shall be given by means of flag signals and steam whistles in the day time, while at night time white lantern lights shall be used in place of flag signals.

In bad weather or if a merchant ship fails to obey orders to stop conveyed by means of whistles, flags, or lights, two blank shots may be fired.

If, in spite of the blank shots, a merchant ship refuses to stop, then, loaded guns may be fired at her masts, and if she still refuses to stop, at her hull.

Article 14.—After a merchant ship has stopped in obedience to orders, the Commanding Officer of the warship shall dispatch an officer to proceed with two marines in a boat to conduct the visit.

Article 15.—After arrival on board the merchant ship, the visiting officer shall demand with courtesy the production of the ship's papers for examination, but if the Master of the merchant ship refuses to produce them, then compulsion may be applied.

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- Article 16.—If, after examination of the papers, the visiting officer considers that none of the grounds for suspicion mentioned in Article 12 exists he shall immediately release the ship by order of the Commanding Officer of the warship.
- Article 17.—On leaving the merchant ship the visiting officer shall make an entry in her logbook stating when and where the visit was carried out and also of the names of the warship, the Commanding Officer, and his own.
- Article 18.—No visit shall be made on merchant ships convoyed by a neutral warship, but the Commanding Officer may request the Commanding Officer of the Convoy to make a written statement regarding the nature of the ship's cargo and destination, in order to show that there is no ground for suspicion as mentioned in Article 12.
- Article 19.—Visits shall be conducted on the merchant ships' own course of voyage.

CHAPTER III.

SEARCH.

- Article 20.—If the visiting officer finds after examining the ship's papers that there is ground for suspicion, he may then conduct a search.
- Article 21.—The search shall be conducted in conjunction with the Master of the merchant ship or his representative. With regard to those places or furnitures which are under lock the Master of the merchant ship or his representative shall be ordered to open them, but if he refuses then such measures as are considered proper may be taken.
- Article 22.—If the visiting officer finds during or after the search that the ship should not be captured, he shall at once release her by order of his Commanding Officer.
- Article 23.—In making the search the provisions of Articles 16 to 18 inclusive may be applied.
- Article 24.—If the visiting officer finds after the search that the ship should be captured, he shall report to the Commanding Officer to that effect and the capture shall then be made in accordance with the provisions of Chapter IV.

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CHAPTER IV.

CAPTURE.

Article 25.—The following ships shall be captured :—

- (1) Enemy ships except the following when not connected with military affairs :—
 - (a) Fishing vessels engaged along the coast and ships engaged in local trade, together with their cargo and appurtenances.
 - (b) Ships engaged in religious, scientific or philanthropic work.
 - (c) Hospital ships as defined in the Geneva Convention which has been adopted by the Hague Peace Conference in relation to naval warfare.
 - (d) Cartel-ships.
- (2) Ships registered in the Republic but embarked on trade with the enemy without permission from the Government.
- (3) The following ships shall be captured whether they have been registered in the Republic or in neutral countries.
 - (a) Ships carrying contraband of war or contraband persons.
 - (b) Ships running a blockade.
 - (c) Ships engaged in scouting or other action connected with the war in the interest of the enemy.
 - (d) Ships convoyed by enemy warships.
 - (e) Ships resisting a visit or search.
 - (f) Ships not having all the papers required by law or where there are circumstances tending to show the concealment, destruction, forgery, or inconsistency of the papers.

Article 26.—After having decided to capture the ship, the Commanding Officer of the warship shall communicate to the Master of the ship his reasons for doing so and shall dispatch a prize officer with a certain number of marines to take possession of the ship.

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Article 27.—After taking possession of the ship the Commanding Officer of the warship shall proceed to carry out the following measures :

- (1) To seize the ship's papers.
- (2) To make an inventory of the cargo and other valuable articles.
- (3) To close and seal the holds.

Article 28.—With the exception of those who are involved in acts of war, the treatment of all others on board the ship shall be regulated by the following provisions :—

- (1) The Master, officers, and crew of enemy nationality shall be considered as prisoners of war, but they may be released under a written promise not to engage either directly or indirectly in service connected with the war during its course.
- (2) The Master and officers of neutral nationality may not be considered as prisoners of war if they promise in writing that they will not serve on an enemy ship during the war.
- (3) The crew and others of neutral nationality may not be considered as prisoners of war.

Article 29.—With the exception of prisoners of war and those who are necessarily required as witnesses, all passengers on board shall be permitted to land at the nearest port.

Article 30.—Means shall be provided to send on to their destination all mail matter on board the ship except such as may have been dispatched from or to blockaded areas.

Article 31.—The Commanding Officer of the warship shall as soon as possible make a detailed report to the Minister of the Navy of the conditions under which the ship has been captured.

Article 32.—If the Commanding Officer of the warship discovers, after the capture, any circumstances which show that his action was not justified he shall release the ship at once.

Article 33.—The Commanding Officer of the warship shall order the prize officer in possession to dispatch the captured ship to the port where the Local Prize Court is established and to submit all the ship's papers and evidences for adjudication.

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Article 34.—The Commanding Officer of the warship shall order a prize officer to make, in conjunction with the master of the captured ship, a report of all the goods which are found to be easily perishable and which therefore cannot be sent on with the ship.

The Commanding Officer of the warship may publicly sell the above mentioned goods at the nearest port of the Republic or of a neutral country, permission having been duly obtained, but he shall enter the price of the articles sold in the logbook and forward an account to the Local Prize Court.

Article 35.—The Commanding Officer of the warship may, under unavoidable circumstances of the following nature, destroy the captured ship, but before such destruction all persons, goods and papers on board shall be placed in safety :—

- (1) When the captured ship is no longer seaworthy.
- (2) When military movements might be seriously hampered by failing to destroy it.

Article 36.—The Commanding Officer of the warship shall in case of emergency as mentioned in the above article forward an account, detailing the imperative reasons for the action taken, to the Local Prize Court and shall hold himself entirely responsible therefore.

Article 37.—When the Commanding Officer of a warship re-captures a ship registered in the Republic or in a neutral country which had been captured but not yet employed by the enemy or dispatched to an enemy port by the enemy, he may release her.

CHAPTER V.

ADJUDICATION.

Article 38.—A captured ship and cargo shall not be condemned except upon adjudication by the Prize Court.

Article 39.—Enemy ships shall be condemned.

Enemy goods on enemy ships shall be condemned.

Article 40.—Enemy goods on neutral ships shall not be condemned.

Article 41.—Ships registered in the Republic and embarked on trade with the enemy without special permission from the Government shall be condemned.

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Goods on the above mentioned ships except those belonging to the enemy or to the ship's owner shall not be condemned.

Article 42.—Contraband of war shall be condemned.

Goods belonging to owners of contraband of war shall be condemned.

Article 43.—Ships carrying contraband of war shall be condemned under the following circumstances:—

- (1) When the owners of both the ship and the contraband of war are the same persons.
- (2) When the value, weight, bulk, and freight of the contraband of war amount to over one-half of the total goods on board.
- (3) When they make use of fraudulent means to carry contraband of war.

Under the circumstances of section (3), the goods of the owners of the ships shall also be condemned.

Article 44.—Contraband persons shall be considered as prisoners of war.

Ships carrying contraband persons and enemy goods on board such ships shall be condemned except when the masters of the ships can prove that they have no previous knowledge of the true facts.

Article 45.—Ships running a blockade and their cargo shall be condemned, but if the owners of the cargo can prove that they had no knowledge or intention of running the blockade, the cargo may be released.

Article 46.—Ships engaged in scouting or other actions connected with the war in the interest of the enemy and their owners' goods shall be condemned.

Article 47.—Ships convoyed by enemy warships and their cargoes shall be condemned.

Article 48.—Ships resisting visit or search shall be condemned. Enemy goods on board the above mentioned ships as well as those belonging to the masters and the owners of the ships shall be condemned.

CHAPER VI.

SUPPLEMENTAL.

Article 49.—Matters not provided in these regulations shall be dealt

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with in accordance with law, treaties and international usage.

Article 50.—These regulations shall be enforced from the day of their promulgation.

No. 119.

Ministry of the Navy Order No. 126.

[*Translation.*]

According to Article 32 of the Prize Court regulations, the Regulations governing the safe-keeping of captured property in the Naval Warehouse have been drawn up, and I hereby publish the same as follows.

[Seal of the Ministry.]

Peking, 12th day, 12th month,
6th year of the Republic.
[December 12, 1917.]

Liu Kwan-hsiung,

Minister of the Navy.

*Regulations Governing the Safe-Keeping of Captured Property
in the Naval Warehouse.*

[*Translation.*]

Article 1.—All captured property shall be placed in proper safe-keeping.

Article 2.—During the period of safe-keeping, whenever any danger of putrefaction appears or there is any other reason why property must be speedily disposed of, the superintendent of the Naval Warehouse shall notify the Prize Court of the matter.

Article 3.—Upon the receipt of a reply from the Prize Court to the effect that the captured property should be speedily disposed of within the period of safe-keeping, the superintendent of the Naval Warehouse shall report the name of the property, its quality, number, weight, estimated value and the way in which it is proposed to dispose of it, to the Minister of the Navy, and request him to issue orders for the disposition.

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- Article 4.—When, in case of emergency, there is no time to ask for orders in accordance with the provisions of the preceding article, the superintendent may use his own discretion, but after the disposition shall have been made, the superintendent shall report to the Minister of the Navy the circumstances requiring immediate action the mode in which the disposition was made, the name of the property, its quality, number, weight and estimated value.
- Article 5.—After the disposition shall have been completed, the Prize Court shall be furnished with a history of the disposition. A similar report shall be made to the Minister of the Navy.
- Article 6.—These regulations shall take effect from the date of their publication.

No. 120.

Presidential Mandate.

[*Translation.*]

We hereby promulgate the Penal Laws Governing Prisoners of War.

[*Seal of the President.*]

Peking, 13th day, 12th month,
6th year of the Republic.
[December 13, 1917.]

Countersigned by

Wang Shi-cheng,	Premier and Minister of War.
Lou Tsen-tsiang,	Minister of Foreign Affairs.
Liu Kwan-hsiung,	Minister of the Navy.
Chiang Yung,	Minister of Justice.

No. 121.

Instructional Mandate No. XXVII.

[*Translation.*]

PENAL LAWS GOVERNING PRISONERS OF WAR.

- Article 1.—Any prisoner of war committing an act of resistance to or violence toward his superintendent, inspector, or escort, shall be punished with a term of imprisonment of

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the third or fourth degree, and in case of extenuating circumstances, the term of imprisonment may be mitigated to the fifth degree.

- Article 2.—If a group of prisoners of war conspire to commit the offence or offences set forth in the preceding article, the leader of the group shall be punished with death, and the rest shall be sentenced either to indefinite imprisonment or a term of imprisonment of the first degree. As to those whose guilt may be mitigated on account of extenuating circumstances, each one shall be punished with a term of imprisonment varying from the second to the fourth degree.
- Article 3.—In a conspiracy for a general escape, the leader shall be punished by a term of imprisonment of the first degree, each of the followers shall be punished with a term of imprisonment varying from the second to the fourth degree, and on the still less responsible ones, a term of imprisonment of the fifth degree may be imposed.
- Article 4.—In case prisoners of war, after their escape, are recaptured within Chinese territory, they shall be punished either with the strict confinement or simple confinement, according to the Disciplinary Instructions of the Army.
- Article 5.—In case a prisoner of war has been released to return to his country upon having given his pledge on his honor, if he should break his pledge and be again captured, he shall be punished with death or life imprisonment or a term of imprisonment of the first degree.
- Article 6.—In the case of a prisoner of war who has escaped beyond Chinese territory and who has been subsequently recaptured, the regulations contained in Articles 1, 2, and 3. do not apply to the crime or crimes committed by him before his escape.
- Article 7.—The trial and punishment of prisoners of war shall be conducted by the duly organized Military Court.
- Article 8.—These regulations shall take effect from the date of their promulgation.

PART V.

Concerning the Treatment of Enemy Persons and
Enemy Property.



THE TREATMENT OF ENEMY PERSONS AND PROPERTY.

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No. 122.

The Ministry of the Interior and the Ministry of War to the Military and Civil Governors of the Provinces, etc.

[*Telegram—Translation.*]

Peking, 15th day, 3rd month,
6th year of the Republic.

[March 15, 1917.]

To the Military and Civil Governors of all the Provinces, the Military Commissioners of Shanghai and Ning-Hsia, the Lieutenant-Generals of Jehol, Kalgan, and Kwei-Hwa, the Resident-General of Altai, and the Garrison Commissioner of the Szechuan Frontiers:

As the severance of diplomatic relations between China and Germany has been proclaimed, the following regulations respecting the protection of German residents in China have been adopted.

(1) Those German residents who desire to leave China shall submit particulars concerning their respective names, ages, residential addresses and occupations to the Central Government through the local officials or military officers; and after permission has been obtained and passports have been granted, they shall be escorted on their departure by suitable soldiers and police to be assigned by the local civil officials or military officers.

(2) Germans who have been permitted to leave China may carry along with them their belongings as much as they can except those articles for military use, but such belongings must be examined in accordance with the regulations governing such examination. Property, left in China by them shall be dealt with according to the regulations governing the treatment of such property. Such regulations will be telegraphed in full later.

(3) After the necessary formalities as prescribed in Articles (1) and (2) have been performed, the local civil official or the local senior military officer shall order the said Germans to leave the country within a suitable time. Prior to their departure, however, they shall observe the Regulations respecting their protection while residing in China.

(4) The route which they are to take shall be determined by the Chinese Government.

(5) With regard to the escort of the Germans by soldiers and police, adequate military escort shall be dispatched for protection according to the requirements of the local conditions, until the Germans leave the local jurisdiction and are placed in charge of the

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soldiers and police of the neighboring locality. This shall be continued until the Germans reach the limits of Chinese territorial jurisdiction.

(6) The local senior official and senior military officer shall on the Germans' departure, notify the neighboring authorities so that the latter may have an escorting squad ready in order to avoid delay.

(7) The escorting soldiers and police upon arrival at the neighboring district where the Germans are to be handed over, shall secure from them statements of their safe departure which shall be submitted to the Central Government by the respective local senior official. (The statements of their departure from China are especially important.)

(8) The Local Civil Officials or Military officers shall hire for the Germans all necessary vehicles or vessels that may be required to carry them and their belongings.

Reply upon receipt of this telegram.

[Seal] Ministry of the Interior.

[Seal] Ministry of War.

No. 123.

The Ministry of the Interior and the Ministry of War to the Military and Civil Governors of the Provinces etc.

[*Telegram—Translation.*]

Peking, 15th day, 3rd month,
6th year of the Republic.

[March 15, 1917.]

To the Military and Civil Governors of all the Provinces, the Military Commissioners of Shanghai and Ning-Hsia, the Lieutenant-Generals of Jehol, Kalgan and Kwei-Hwa, the Resident-General of Altai and the Garrison Commissioner of the Szechuan Frontiers.

Please take note of the following regulations which have been adopted for the protection of German merchants and missionaries in China.

(1) These regulations shall apply to all German merchants and missionaries residing in China, except those who are in military service, for whose treatment separate regulations have been adopted.

(2) German merchants and missionaries may continue to reside at the places where they are now located in China, pursue their callings of a peaceful nature, and enjoy the protection of their persons and property, but they must observe all the laws and regulations which are now in force or may be enacted from time to time.

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(3) German merchants and missionaries residing in China shall register their names, residential addresses and occupations at the office of the local authority within two days of the receipt of these Regulations.

(4) The local authorities shall issue registration certificates to the said German merchants and missionaries after they have so registered.

(5) German merchants and missionaries who have registered may remove to another locality but before doing so they shall present their registration certificates to the local authorities of the first place of residence for examination and cancellation, and receive in exchange therefor a permit for removal. Within two days of their removal they shall present the permit to the local authorities of the new locality for cancellation and shall further observe the provisions in Articles 3 and 4.

(6) German merchants and missionaries who fail to register according to these regulations may be ordered to leave China or remove to a specified area on a fixed date.

(7) Any German merchants or missionaries residing in China who have implements of war and articles for military use in their possession, shall within two days of the receipt of these regulations report to the nearest examining office and await inspection.

(8) Any German merchants or missionaries in China involved in violation of the law or any branch of peace or whose conduct is calculated to be detrimental to the interests of China, or being suspected of any of the above, may be expelled from the country on a fixed date or prohibited from removing their residences or travelling, or may be placed under supervision or subjected to any other restrictive measures which are considered proper.

(9) The privileges granted under Articles 2 and 5 may be restricted when circumstances so require.

(10) After the publication of these Regulations, German merchants or missionaries shall not be permitted to enter Chinese territory except with the permission of the Government to be obtained through the local authority.

Reply upon receipt of this telegram.

[Seal] Ministry of the Interior.

[Seal] Ministry of War.

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No. 124.

The Minister of War to the Minister of Foreign Affairs.

[*Letter—Translation.*]

Peking, 16th day, 3rd month,
6th year of the Republic.

[March 16, 1917.]

Sir,

The severance of diplomatic relations between China and Germany has already been promulgated in a Presidential Order. This Ministry has now drawn up regulations governing the provisional inspection and the disposition of the German public and private properties which can be used for military purposes.

Circular telegrams have already been sent to the senior officials of the different provinces and special Administration Areas. Besides sending copies of the said telegrams to the various departments, I have the honor to enclose copies of the same for your information.

[sd.] Tuan Chi-jui.

Enclosures : as stated.

(*Enclosure 1.*)

[*Circular Telegram—Translation.*]

The Minister of War to the Military and Civil Governors of the Provinces, the Lieutenant-Generals of Jehol, Kalgan and Kwei-Hwa, Military Commissioners of Shanghai and Ning-Hsia, Resident Commissioner of Altai, and Garrison Commissioner of the Szechuan Frontiers.

Peking, 15th day, 3rd month,
6th year of the Republic.

[March 15, 1917.]

(*Urgent.*)

Please take note of the following provisional regulations.

(1) Whether the civil officials and subjects of the country, with which we have severed diplomatic relations should thereafter be still permitted to live within Chinese territory, or should be moved to quarters fixed by the Chinese Government, shall be determined according to the provisions of these Regulations, and subjected to provisional inspections.

(2) Provisional inspections consist of the following:

- (a) Inspection of residence.
- (b) Inspection of baggage.

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(3) By inspection of residence it is meant that the places where persons are permitted to live, to trade, or to preach continuously, i.e. their homes, shops, or churches, are all subject to provisional inspection.

(4) By inspection of baggage it is meant that when persons are to be moved to quarters fixed by the Chinese Government, or when they are in course of travel, their baggage and belongings are subject to provisional inspection.

(5) When the provisional inspection is being enforced, in case the following articles are discovered, they may be confiscated.

(a) Explosives or materials for manufacturing explosives.

(b) All books, maps, or notes, not for sale, concerning Chinese Military Affairs.

(6) When provisional inspection is being enforced, in case the following articles are discovered, they may be moved to the Yamen of the local officials for safe-keeping, the same to be returned to the owners after peace shall have been restored.

(a) Privately owned shot-guns or pistols as well as ammunition for the same.

(b) Swords and daggers, etc. which might be used for military purposes.

(c) Guns and cannon as well as ammunition for the same.

(d) Articles used for military purposes, such as saddles, sacks, canteens and instruments for works, -etc. (However, saddles for individual use are exempted.)

(e) Air-ships with all of their accompanying parts.

All the articles stated above are subject to requisition by the Chinese Government in case of military necessity.

(7) These regulations shall be enforced by the branch Bureau of Inspection established by the local senior military officials.

A reply is expected after you have received this telegram.

[sd.] Tuan Chi-jui.

(Inclosure 2.)

[Circular Telegram—Translation.]

The Minister of War to the Military and Civil Governors of all the Provinces, the Lieutenant-Generals of Jehol, Kalgan and Kwei-Hwa, Military Commissioners of Shanghai and Ning-Hsia, the Resident Commissioner of Altai and the Garrison Commissioner of the Szechuan Frontiers.

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Peking, 15th day, 3rd month.
6th year of the Republic.
[March 15, 1917.]

(Urgent.)

This Ministry has drawn up regulations governing the disposition of the German public and private properties, which are convertible to military uses.

(1) All German properties on Chinese territory, (excluding those that are not for military uses and therefore shall be disposed of according to special regulations,) which are for military uses, such as wireless stations, barracks, structures for defence, air-ships, military weapons, explosives, large quantities of steel, copper lead, and iron, etc, as well as manufactured articles for military uses, shall be registered in an inventory by the German officials or their representatives; the said inventory shall be handed over to the local senior officials or senior military officers, who shall appoint a delegate to examine same jointly with the German officials and mark clearly on the inventory the words, "Government," "Public" or "Private," and the parties who make the examination shall endorse their signatures on the inventory. Each party shall keep a copy of the inventory as proof. Thereupon the properties may be taken over.

As to military weapons, which belong to the German army they shall be treated according to the regulations governing disarming.

(2) The Civil officials or Military officers, after taking over the properties, shall seal them up, and place guards to watch over them. The properties shall also be classified according to their government, public or private, ownership, and a report of the same shall be sent to the Central Government.

(3) All properties taken over under Sections 5 and 6 of the Regulations governing Provisional Inspection, shall be disposed of in accordance with the provisions of Section 2 of these regulations.

Reply upon receipt of this telegram.

[sd.] Tuan Chi-jui.

No. 125.

*The Special Commissioner of Foreign Affairs for Chihli to the
Minister of Foreign Affairs.*

[*Telegram—Translation.*]

Tientsin, 16th day, 3rd, month,
6th year of the Republic.

[March 16, 1917.]

Sir :

This morning, I, together with Mr. Yang Yi-teh, Commissioner of

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Police, and M. Munthe, a foreign officer, held a conference with the German Consul. At 3 o'clock p.m., we went to the German Consulate with a police force of three hundred men. Then in company with the German Consul we went to the German Municipal Council building which was handed over to us whereupon the Chinese flag was hoisted, and an additional force of Chinese policemen was dispatched to police the district, while the original policemen were instructed to wear the Chinese police uniform. Subsequently we went to the German barracks, took over the arms and ammunition, and assigned a number of police officers to guard the same. There were no soldiers in the barracks, but as the special delegate of the Netherlands Minister has taken charge of it, the Netherlands flag has been hoisted over it; we went there and requested the Netherlands Delegate to hoist the Chinese flag, but he said that he must ask his Minister for instructions concerning this matter. I have the honor to report by telegraph to you these facts relating to the taking over of the German Concession.

[sd.] Hwang Yung-liang.

No. 126.

The Military Governor of Hupeh to the Ministry of Foreign Affairs.

[*Telegram—Translation.*]

Wuchang, 18th Day, 3rd Month,
6th Year of the Republic.

[March 18, 1917.]

Wai Chiao Pu, Peking.

German Concession at Hankow was taken over on the afternoon of the 15th instant. German Consul has already suspended his functions, whereupon German Municipal Council handed over the police power to the Police Department of Hankow. The Chinese policemen hired by the Council have donned Chinese police uniforms. Police patrols have been increased by the Police Department. German Consul has presented a written memorandum stipulating that neither side should change the usual state of affairs. We have counted and examined the arms and ammunition both on yesterday and to-day, and have completed the same. Bureau of Inspection has been established. Peace and quiet prevail. We have instructed the populace to refrain from manifesting any hostility toward the German residents. Regarding the protection given to the German residents,

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merchants and missionaries, and the disposition of articles of military value, they are managed by special commissions. As there is a German employé in the Hanyang Iron Works, we have notified the manager of said Works to take precautions and instructed the local authorities to give protection. There is also a German teacher at the Hupeh Foreign Language School. According to telegraphic instructions from the Ministry of Education, the contract continues to be in effect and proper precautions are to be maintained. We have already notified the Bureau of Inspection immediately to inspect all the companies and depots inside and outside the German Concession, where arms and munitions were formerly sold. Will telegraph further developments later on.

Wang Chan-yuan.

No. 127.

The Ministry of the Interior to the Ministry of Foreign Affairs.

[*Dispatch—Translation.*]

Peking, 20th day, 3rd month,
6th year of the Republic.

[March 20, 1917.]

The Ministry of the Interior begs to inform the Ministry of Foreign Affairs that it has telegraphed to all the Authorities concerned inside and outside of Peking communicating to them the Rules of Procedure which it has adopted for the disposition of German property in China and informing them of the necessary steps to be taken therefor. A printed copy of the telegram is herewith inclosed for the information of your Ministry.

[sd.] Fan Yuan-lien.

Acting Minister of the Interior.

Enclosure : as stated.

(*Inclosure.*)

[*Telegram—Translation.*]

To the Military and Civil Governors of all the Provinces, Commissioners of Military Affairs of Shanghai and Ning-Hsia, the Lieutenant Generals of Jehol, Kalgan and Kwei-Hwa, the Resident Commissioner of Altai, and the Garrison Commissioner of Szechuan Frontiers.

Please note the following Rules of Procedure which this Ministry has adopted for the disposition of German property in China.

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1. The following rules apply to all classes of property except those which are used in connection with military affairs, railways and steamers and those for which regulations have already been adopted.
2. All goods and houses, state-owned or public-owned, together with other movable and immovable properties outside the Legation Quarter or outside the Concessions which at present have no one to take charge of them or which cannot be taken charge of, shall be sealed or guarded by persons to be appointed by the official concerned.

Regarding privately owned property, the official concerned shall upon ascertainment notify the Consul of the neutral country to which Germany has entrusted her interests. However, in such cases the regulations provided in the preceding article will still be observed. If the owner desires to delegate a third party to take charge of his property, permission must be obtained from the official concerned.

3. During the time of guarding or sealing and safe-keeping of the property by those delegates, goods and other movable property may, if circumstances demand it or for the sake of convenience, be removed to a suitable place for protection or sale as the case may require.
4. In dealing with the property, such particulars as number, measure, weight, and kind should be ascertained in the presence of, and in conjunction with the person originally in charge of the property and a detailed list made and signed by both parties. This should be kept on record and a report should be submitted to the high official concerned.

With regard to those properties which no one takes charge of, the high local office should first be informed thereof and then their particulars should be ascertained and a list be prepared for report and kept on record according to the above regulations.

If there should be any goods that ought to be sold, their prices should be marked on the list and, if there is any person originally in charge of the said goods, his approval must be obtained.

5. The official concerned referred to in these regulations is the

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Chief of Police, or if there is no police office at the place, the Magistrate.

6. Except by Act of God or through *force majeure* or for reasons which do not arise out of neglect, the official concerned shall be held entirely responsible for any damage done to the properties which are guarded, sealed or kept according to the above regulations.

Upon the happening of any damage, as above mentioned it should be reported to the high official concerned and communicated to the Consul of the neutral country to which Germany has entrusted her interests.

Please reply after receipt of this telegram.

Ministry of the Interior.

No. 128.

The Special Commissioner of Foreign Affairs for Hupeh to the Minister of Foreign Affairs.

[*Letter—Translation—Extract.*]

Wuchang, 20th day, 3rd month.

6th year of the Republic.

[March 20, 1917.]

Your Excellency:

I received on the 19th instant a letter from the Hupeh Military Governor Wang stating that he had received a telegram dated the 18th from the Cabinet Office and asking me to take note of it and to act accordingly. The telegram is as follows:—

Your telegram dated the 17th received. With regard to the Delegate of the Netherlands Minister arriving at Hankow to effect the transfer of affairs we are just negotiating with the said Minister in Peking. As soon as we decide upon the details of procedure we shall inform you by telegram. The German Consul must leave for his country via Shanghai with the German Minister.

* * * * *

Apart from obeying the above instructions, I beg to report that on the 15th instant, I, together with the police, took over the German Concession at Hankow from the German Consul, arrangements having already been made for its protection and control according to

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regulations speedily adopted. * * * * * * * * *
Besides reporting to the Military and Civil Governors of Hupeh, I now beg to inclose for your information a copy of the agreement signed with the German Consul and others for the transfer of the German Concession to us.

I have, etc.

[sd.] Wu Ch'ung-lien.

Enclosure : as stated.

[*Inclosure—Translation.*]

*Declaration of Mr. Wu Chung-lien, Commissioner of Foreign Affairs
in taking over the German Concession at Hankow.*

Witnesses :—

S. E. Wu Chung Lien.

Herr. W. Stoller

Herr. Chao Tsi Yuen.

Herr. E. Mivow.

Herr. Lui Ming Chao.

Herr. W. Dubber.

Herr. Schwei Yuan Chun.

Herr. R. Herbertz.

Herr. Hwang Ang Tsai.

Herr. G. Rochreke.

Herr. Konsul Dr. Voretzsch.

Herr. C. H. Roggs.

Herr. R. Jankowski.

Herr. C. Grapow.

Herr. Ho Tsu Ju.

Herr. M. v. Aremd.

Herr. J. Lipporte.

Mr. Wu declares that he has received instruction from the Chinese Government to take over the German Concession.

In the presence of the Members of the Board, the said Concession is handed over to the Chinese Commissioner of Foreign Affairs Mr. Wu by the German Consul Dr. Voretzsch, who at the same time protests in the name of his Government against the handing over of the said Concession and reserves all the rights and claims which arise out of the situation.

Mr. Wu makes full declaration to the effect that the security, freedom and protection of the lives and property of the Germans in the Concession will be guaranteed in equal measure as it has hitherto been in the German Concession as well as in the Province of Hupeh, and he takes over the German Concession and assumes the duty in the place of the German Consul in accordance with the Municipal Regulations, a copy of which has been given to him by the German Consul. Mr. Wu declares further that in regard to the internal administration of the Concession which is in the hands of the Municipal Board no changes will be introduced, while the administration will be

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carried out in future under Mr. Wu's co-operation as it has hitherto been under the German Consul.

In conjunction with the Police Chief, Mr. Chao, Mr. Wu declares that the German Police will be under Mr. Chao's control, but the personnel of the Police shall remain the same in the interest of public order until further notice, while changes will only be effected in the matter of uniform (Chinese uniform will be adopted in order to serve as a distinguishing mark,) and the dismissal of members of the police force who are unfit for service.

[March 15, 1917.]

No. 129.

The Customs Bureau to the Office of the Cabinet.

[*Letter—Translation.*]

Peking, 22nd day, 3rd month,
6th year of the Republic.

[March 22, 1917.]

Sir :

A telegram from Mr. Lo Chang, Commissioner of Foreign Affairs at Amoy, has just been received setting forth the details concerning the taking over of the German merchant vessels. A copy of the said telegram is appended hereunder for your consideration.

[sd.] The Customs Bureau.

Enclosure : as stated.

[*Inclosure—Translation.*]

Telegram from the Commissioner of Foreign Affairs at Amoy.

Amoy, 14th day, 3rd month,
6th year of the Republic.

[March 14, 1917.]

To Wai Chiao Pu, Chiao Tung Pu and the Customs Bureau.

A telegram has already been sent to you reporting the presence of the German vessel *Keong Wai* at Amoy. To-day, the Captain of *Chiang Heng*, under the orders of his superior, came to declare the intention of taking over the said German vessel and of watching the movement of her officers. The *Keong Wai* has been in Amoy for two years. The matter admitted of no delay since the Captain of *Chiang Heng* was ordered to take her over. Thereupon, on the one hand, I came to an understanding with the In-

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spector of Customs for the dispatch of a German Mr. Maasberg of the Harbour Office to go aboard the said vessel in conjunction with the Captain of the *Chiang Heng*. At 3 p.m. they boarded the vessel and it was found that the crew on board the *Keong Wai* was composed of one Captain, one officer, one chief engineer and four Chinese servants. They were taken ashore by the Harbour Officer, and on the other hand, I, in my private capacity interviewed the German Consul and arranged all other necessary affairs. Now the said vessel has been taken over.

[sd.] Lo Chang.

No. 130.

The Acting Minister of the Interior to the Minister of Foreign Affairs.

[Despatch—Translation.]

Peking, 22nd day, 3rd month,
6th year of the Republic.

[March 22, 1917.]

Sir:

This Ministry has already jointly telegraphed to the different provinces and special areas on the 21st inst. the regulations which have been jointly drawn up concerning the issuing of passports to the German merchants and missionaries, for moving and travelling. I beg to enclose herewith a copy of the said telegram for your Ministry to put on file.

[sd.] Fan Yuan-lien.

Enclosure: as stated.

[Inclosure—Telegram—Translation.]

The Minister of Foreign Affairs, the Minister of the Interior and the Minister of War to the Military and Civil Governors of all the Provinces, the Lieutenant-Generals of Jehol, Kalgan and Kwei-Hwa, the Military Commissioners of Shanghai and Ning-Hsia, the Resident Commissioner of Altai and the Garrison Commissioner of Szechuan Frontiers.

Peking, 21st day, 3rd month,
6th year of the Republic.

[March 21, 1917.]

Sir:

Most Urgent.

Please act according to the following regulations, which we have jointly drawn up, for the issuing of passports for moving and travelling to German merchants and missionaries.

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A. (1) In accordance with the regulations for the protection of German merchants and missionaries within Chinese territory, Article 5, the offices that issue passports for moving shall record on the passports the names, occupation, date of departure, destination of moving, route, personal effects, and other items which deserve recording. At the same time, a report bearing all the above information is to be sent to the offices within whose jurisdiction the said persons will move.

(2) The above stated passport for moving cannot be used as a passport for travelling.

B. (1) All German merchants and missionaries who ask for passports for travelling must declare the purpose for which they travel, and write on the passports all the necessary information which should be verified by the consul of a neutral country who has been instructed to take charge of their interests, or guaranteed by some credible merchants of the place of residence. The application so made shall be presented to the Commissioner of Foreign Affairs who must ask for instructions from the Central Government before issuing the passports applied for. However, in case the Germans wish to travel to some place where facilities of communication are lacking, or where martial law is in force, no passport shall be issued, while the issuing of passports to travellers and missionaries shall also be suspended.

(2) On the above mentioned passports, there should be written the following information concerning the traveller:—

- (a) Name.
- (b) Occupation.
- (c) Place of destination.
- (d) Purpose of travel.
- (e) Dates of departure and return.
- (f) Route of travel.
- (g) Personal effects.
- (h) All other information that should be recorded.

(3) The Commissioner of Foreign Affairs, after issuing the passports, should send copies of the information which is given in the passports to the local officials of the places through which the travellers will pass, and to the local officials of the place of destination.

(4) The travellers are subject to inspection in accordance with the Regulations Governing Provisional Inspection,

(5) The travellers, while en route, should immediately pre-

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sent their passports for inspection, whenever the local officials wish to inspect the same. Those who have already reached their destination, should immediately request the local officials to inspect their passports, to seal and verify them. The said passports still have to be taken back for cancellation within the time limit. In case obstacles should be encountered en route which prevent the travellers from proceeding according to fixed dates, and they are compelled to delay in a certain locality, or in case the travellers wish to turn back, they should in either case report to the local officials of the locality. When the delay is over one month, or if after reaching the place of destination the traveller should wish to continue residing there, he must apply for registration, according to the regulations for the protection of German merchants and missionaries within Chinese territory, and the passport for travelling must be presented for cancellation.

Please reply after receiving this telegram.

[sd.] Wu Ting-fang.

[sd.] Fan Yuan-lien.

[sd.] Tuan Chi-jui.

No. 131.

*The Acting Military Governor and the Civil Governor of Kwang-tung
to the Chief of Staff, the Minister of the Navy, and the Minister
of Foreign Affairs.*

[Circular Telegram—Translation.]

Canton, 27th day, 3rd month,
6th Year of the Republic.

[March 27, 1917.]

Sir:

We have already reported by telegram on the 20th inst. of the disposal of the German vessel, *Tsing Tao*, by the Provincial Authorities of Kwang-tung.

Now, Delegate Chang Chih-lung has reported that he and Inspector Teng Tsung-pao have jointly inspected all the properties on board the German vessel, and have handed over the same to the Naval Office at Hwang Pu for safe-keeping. Inventories have been made in the Chinese and German languages, copies of which have been signed by a German from the said vessel, and by Inspector Teng.

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Each party keeps a copy of the said inventory as proof. Inspector Teng has sent to us a copy of the said inventory. Besides sending copies of the inventory for your information ourselves, we have also instructed Inspector Teng to make reports directly.

[sd.] Tan Hao-ming.

[sd.] Chu Ching-lan.

No. 132.

The Minister of the Interior to the Minister of Foreign Affairs.

[*Dispatch—Translation.*]

Peking, 28th day, 3rd month,
6th Year of the Republic.
[March 28, 1917.]

Your Excellency :

For the information of the Ministry of Foreign Affairs the Ministry of the Interior begs to inclose herewith a copy of the rules of procedure which it has adopted for the assumption of control of the German Concessions and of which the Military and Civil Governors of Chihli and Hupeh have also been respectively requested by telegraph to take notice that they may act in accordance therewith.

[sd.] Fan Yuan-lien.

Acting Minister of the Interior.

Enclosure : as stated.

[*Inclosure—Translation.*]

*Rules of Procedure Governing the Assumption of Control of
German Concessions.*

1.—The German Concessions after being taken over shall be recognized as Special Areas, for the control of which temporary bureaux shall be constituted in Tientsin and Hankow. A Chief of Bureau shall be appointed for each of the Special Areas on the recommendation of the Ministry of the Interior, to control police and other administrative affairs therein and also to carry out police and other administrative measures.

- All matters relating to foreign affairs shall be handled by the Chief of the Bureau in conjunction with the Commissioner of Foreign Affairs of the Province.
- 2.—The original Municipal Council of the Area shall, under the direction of the Chief of Bureau, deal with all matters pertaining to self-government.

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If the Chief of the Bureau deems it necessary for the above mentioned affairs of self-government to be handled by other bodies, he shall petition the highest Local Official to request the Ministry of the Interior to give its due consideration to the matter.

Resolutions passed at a rate payers' meeting of the Municipality shall not be enforced without the approval of the Chief of the Bureau.

3. —All the existing rules and regulations Governing the administration of the said Areas as well as the police regulations and rules of taxation shall be temporarily enforced as formerly except those which are in conflict with the laws, rules and regulations at present in force in China, and those which are unsuitable to the treatment of residents within the Areas. These conflicting rules shall be nullified and rules which under certain circumstances are considered necessary shall be amended, as each case may require.

All laws, rules and regulations enacted by China may also be enforced within the said Areas according to circumstances.

No. 133.

The Minister of War to the Minister of Foreign Affairs.

[*Letter—Translation.*]

Peking, 29th day, 3rd month,
6th year of the Republic.

[March 29, 1917.]

Sir:

I have received your letter, stating that "the German Minister has already left Peking, and a place should be selected for the officers and soldiers of the German Legation. Please inform me whether or not you have already selected such a place, and also how they are to be taken there, in order that I may take the matter up with the Netherlands Legation. I beg to enclose herewith a copy of a letter from the Netherlands Legation, and two lists of the German soldiers," etc.

In reply, I beg to state that a place has already been selected, and regulations, consisting of 4 articles, have been drawn up for the transportation of the said soldiers. A copy of the said regulations is herein enclosed. Please take up the matter with the Netherlands Legation.

I have, etc.

[sd.] Tuan Chi-jui.

Enclosure: as stated.

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(*Inclosure—Translation.*)

*Regulations Governing the Conveyance of the German soldiers
to the Internment Camp.*

(1) All German officers and soldiers who are to be interned should meet inside the entrance of Chung Hua Men on the morning of April 2nd at 9 o'clock, and wait there until the Chinese officers call the roll and take them over.

Each person may bring with him to the internment camp his clothes and baggage. But there is no need to bring any bedstead. The clothes and baggage may be brought to the meeting place, in order to be taken along.

(2) The Ministry of War has appointed Hsiao Chuin-sung as a delegate to take over the Germans on the morning of April 2nd at 9 o'clock at Chung Hua Men.

(3) All German officers and soldiers will go on foot to the internment camp with the Chinese officer who will take charge of them.

(4) The internment camp is located at Long Run Yuan, which is situated near Hai Tien.

No. 134.

The Minister of Foreign Affairs to the Netherlands Minister at Peking

[*Memorandum—Translation.*] .

Peking, 31st day, 3rd month,
6th year of the Republic.

[March 31, 1917.]

The existing diplomatic relations between China and Germany having been broken off, the Chinese Government in the interest of the better treatment of German subjects residing in China, has decided that, in spite of the principle of International Law which does not permit the delegation to another state of the rights of consular jurisdiction growing out of the Chino-German treaties, all cases concerning German subjects, civil or criminal, which have in the past been tried and adjudicated by the German Consuls functioning in China, shall hereafter be tried and adjudicated by the Netherlands Consuls functioning in China, with the exception, however, of those criminal cases provided for in the Chinese Criminal Code, which shall be tried and adjudicated by the Chinese tribunals.

Accordingly there is enclosed herewith for the information of the Netherlands Minister a copy of the Provisional Regulations for the

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Trial of Criminal Cases affecting Germans, as formulated by the Chinese Government. The Wai Chiao Pu requests the Netherlands Minister to communicate the same to the Netherlands Consuls functioning in China.

Enclosure : as stated.

(*Inclusion—Translation.*)

Provisional Regulations Governing the Trial of Germans in Criminal Cases.

ARTICLE I.

Where a German subject is charged with an offence made punishable by any of the following articles of the Provisional Criminal Code, the case shall be tried and adjudicated by a Chinese Law Court, that is:

- | | |
|--------------------------|------------------------------------|
| (1) Arts. 101, 104. | (8) Arts. 186-189, 191-194. |
| (2) Arts. 110, 111, 113. | (9) Arts. 203-205. |
| (3) Arts. 118-126. | (10) Arts. 210-212, 215, 216. |
| (4) Arts. 133-136. | (11) Art. 221. |
| (5) Arts. 153-155. | (12) Arts. 311, 313. |
| (6) Arts. 164, 165. | (13) Arts. 370, 373, 374, and 376. |
| (7) Arts. 168-171. | (14) Art. 403. |

If a German subject is charged with any offence other than those provided in the above-mentioned articles, and such offence affects the peace and order of China, the case shall in case of necessity also be tried and adjudicated by a Chinese Law Court.

ARTICLE II.

With the exception of those offences provided for in Article VI, Sections 3 and 4 of the Draft Code of Criminal Procedure, the original jurisdiction over all criminal cases provided for in the previous article shall be exercised by a Municipal Court. If in any district no such Municipal Court is in existence, the authorities of that district shall cause the case to be removed to a neighboring Municipal Court for trial. In Sinkiang, Jehol, Sui-Yuan or Chahar, the duties and powers of the Municipal Court shall be performed and exercised by the Bureau for the Preparation of Judicial Administration, the Judicial Bureau of the Office of the Tartar General or the Local Court attached to the said Judicial Bureau.

With the exception of the specification of the jurisdictions above-mentioned, the provisions of the Law Governing the Organization of Courts and of other Statutes and Mandates shall apply to questions

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pertaining to trial and procedure in the criminal cases provided in the previous article.

ARTICLE III.

Where either the nature of a criminal case demands that the accused German subject be detained pending trial, or when a judgment against him calls for its execution, the detention or execution of the judgment, is to be carried out in a prison of the new model.

ARTICLE IV.

These regulations shall take effect on and from the date of their promulgation.

No. 135.

The Ministry of Foreign Affairs to the Civil Governor of Shansi.

[*Dispatch—Translation.*]

Peking, 4th day, 4th month,
6th year of the Republic.

[April 4, 1917.]

Excellency:

The Ministry of Communications in a dispatch to us states that all the Germans employed in the different Services have been notified to suspend the performance of their duties, and instructions have been sent to investigate and report upon their ages, local addresses, and whether they have families or not. Now reports have been received from the Offices of the Directors of the Hankow-Canton-Szechuan and Tientsin-Pukow Railways and the Directorate-General of Post stating that the localities reported are the places where the Germans are now residing and that any changes of residence in the future will be reported from time to time.

The Ministry of Communications has also sent a copy of the list of names to this Ministry and requested that necessary protection be given to these Germans.

This Ministry has the honor, therefore, to request Your Excellency to instruct the local authorities to give these Germans necessary protection.

[Seal.] Wai Chiao Pu.

Enclosure: as stated.

[Enclosure omitted.]

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Note:—Instructions in identical terms for the protection of these Germans were also issued to the Special Commissioners of Foreign Affairs in the Provinces of Chihli, Shantung, Chekiang and Hupeh on the 5th day of the 4th month of the 6th year of the Republic. [April 5th, 1917.]

No. 136.

The Netherlands Minister at Peking to the Minister of Foreign Affairs.

[*Note—Translation.*]

Peking, April 7, 1917.

Your Excellency:

I have the honor to inform Your Excellency that the German Government, with the object of preventing the danger of espionage in view of the present circumstances, has adopted stringent measures at the frontiers to prevent persons leaving Germany, excepting those who are to the knowledge of the authorities clearly beyond suspicion. Chinese residents desiring to leave Germany would of course be allowed to do so. But, owing to rumors circulated in Europe, the German Government desires to know definitely that during the duration of the war the Chinese Government will neither obstruct the German residents in China in carrying on their occupations, nor intern them, nor compel them to leave China. Although I know that the request of the German Government corresponds with Your Excellency's beneficent intentions, I beg, however, to request you to be so good as to give me a reply on the matter in definite terms, so that I may communicate the same to the German Government and in that way procure for the Chinese who so desire, the opportunity to leave Germany.

I may add that I am authorized to inform Your Excellency that the Chinese residents in Germany are being well treated in every way. As regards the treatment of German subjects in China, concerning which all sorts of rumors are openly circulated, I have the honor to request Your Excellency, in order to set these rumors at rest, to authorize me to inform the Imperial German Government that during the war the Government of the Republic of China will leave unmolested all German properties. Trusting that Your Excellency will favor me with an early reply, I avail, etc.

[sd.] Beelaerts van Blokland.

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No. 137.

The Minister of Foreign Affairs, the Minister of the Interior and the Minister of War to the Governor of Kwang-tung.

[*Telegram—Translation.*]

Peking, 11th day, 4th month,
6th Year of the Republic.

[April 11, 1917.]

Your telegram of the 2nd noted. We reply to your questions as follows:—

(1) A passport is required regardless of the distance to be travelled, since it is travelling. However, when the route to be travelled lies within the jurisdiction of the local officials of the place where the traveller resides then no passport is required.

(2) There is no restriction as regards the length of time which may be taken for travel, according to the original regulations. But in case circumstances make it necessary, the local officials, who issue the passports, act as they see fit. Regarding the place of travel, of course, no restriction is placed on travelling in the same province.

(3) In case there are no trustworthy German or Dutch merchants to give guarantees, the trustworthy merchants of other nationalities may also give their guarantee in writing. Regarding missionaries, who wish to travel, and who have no guarantees from the Netherlands consulate, they may also be guaranteed by trustworthy missionaries or merchants of German, Dutch or other nationalities.

(4) At all those places which are far away from the seat where the Commissioners of Foreign Affairs reside, the local officials may request the said Commissioners to issue the required passports. However, when the traveller has actually urgent affairs to attend to, the nearest local official may telegraph to the Commissioner of Foreign Affairs for permission to issue the passport himself, and, according to the regulations, notify the local officials of the places through which the traveller will pass, and of the place of destination.

(5) Travellers who show that their religious work or business duties necessitate their traveling have invoked sufficient reasons to justify the issuance of passports to them.

(6) Missionaries, who preach the gospel and teach doctrines, who may be considered as engaged in peaceful occupations, shall be treated in accordance with the regulations for the protection of German subjects as telegraphed to you on the 15th inst.

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(7) All those Germans who have already obtained passports before, and those who travel without passports, shall be treated by the local officials within whose jurisdictions they reside, in accordance with the regulations for the issuing of passports for travelling, or according to the regulations as contained in our above reply number four. However, in case of emergency, the matter may be referred to the Commissioner of Foreign Affairs for consideration.

(8) Proper protection shall be given to German travellers. In case of law suits while travelling all criminal cases should be tried by the Chinese Courts, according to the Provisional Regulations as drawn up by the Ministry of Justice, and all civil cases should be handed over to the nearest Netherlands Consul for trial.

As regards your suggestion that, owing to the facilities of communication and constant travel between the six treaty ports in Kwang-tung, the Commissioner of Foreign Affairs be permitted to act first and report afterwards according to the circumstances, we hereby approve the same.

[sd.] Wu Ting-fang.

[sd.] Fan Yuan-lien.

[sd.] Tuan Chi-jui.

No. 138.

The Netherlands Minister at Peking to the Minister of Foreign Affairs.

[Note—Translation.]

Peking, April 11th 1917.

Your Excellency :

I have the honor to acknowledge the receipt of Your Excellency's memorandum, dated March 31st, which is to the following effect : " My Government has promulgated the Provisional Regulations governing the trial of Germans in criminal cases. Therefore, I have the honor to request that all the Consuls accredited to China by Your Excellency's Government be instructed to adhere to the said Regulations," etc., etc.

In reply, I have the honor to call Your Excellency's attention to the fact that according to the recognized rule of international law, treaties entered into between two countries cannot be in any way affected by the severance of the existing diplomatic relations. The promulgation of such regulations in violation of the existing treaties merely in virtue of the severance of diplomatic relations is, therefore, irregular and their validity cannot be admitted. It is to be observed

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that jurisdiction over the subjects of treaty countries has been already regulated by the treaties. Moreover, the text of the Chino-German treaty clearly points out that if any German subject residing in China is suspected of being guilty of any crime he should be tried according to the laws and regulations of Germany. If the facts developed prove that the accused is guilty, the sentence should also be passed in accordance with the laws of the country of the accused. If the Provisional Regulations, governing the trial of German subjects in criminal cases, as communicated to me by Your Excellency, are actually to be put in force, it would be a flagrant violation of treaty stipulations. Therefore I consider it my duty to protest in advance in the most solemn and energetic fashion against any attempt to enforce them. However, I hope that the Chinese Government will recognize that, by enacting regulations concerning jurisdiction over Germans it has entered a sphere from which it is absolutely precluded by the treaties.

I avail etc.,

[sd] Beelaerts van Blokland.

No. 139.

The Commissioner of Foreign Affairs at Shanghai to the Minister of Foreign Affairs.

[Dispatch-Translation.]

Shanghai, 11th day, 4th month,
6th year of the Republic.

[April 11, 1917.]

Your Excellency:

I beg to report to Your Excellency the internment of the German merchant vessels by the Naval Authorities here. Upon the severance of diplomatic relations between China and Germany on the 14th day of the 3rd month last, the Naval Commander interned all German merchant vessels at Shanghai. On the same day, I received a note from the German Consul-General, stating that "the German merchant vessels in Shanghai are the *Albenga*, *Sikiaeng*, *Deike Rickman*, *Mei Dah*, *Mei Lee*. The Captains of these vessels have reported to me, saying that this morning, each German vessel was suddenly boarded by a Chinese Naval Officer accompanied by thirty marines, the latter carrying arms. They took over the vessels and ordered the Captains and sailors to leave the vessels. Each of the said Naval officers,

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had a certificate in English, a copy of which I enclose herein for your perusal. Now, these vessels are the private property of German merchants. Why should they be taken over at will? Please ask the proper authorities to instruct those officers to leave the vessels immediately and restore them to their owners. Regarding the damages sustained by the German merchants, I shall investigate afterwards," etc.

The action taken by the Naval Commander here is in accordance with telegraphic instructions from the Ministry of the Navy. I have written to the Headquarters of the Naval Commander, inquiring about the several questions raised by the German Consul-General.

Respectfully submitted,

[sd] Chu Chao-hsin.

No. 140.

The Minister of Foreign Affairs to the Netherlands Minister at Peking.

[Note—Translation.]

Peking, 12th day, 4th month,
6th year of the Republic.

[April 12, 1917.]

Your Excellency:

I have the honor to acknowledge the receipt of Your Excellency's note stating that the Commissioner of Foreign Affairs at Shanghai has refused to vise passes granted to German residents who desire to travel in the interior of China on the ground that, under the instructions of the Ministry of Foreign Affairs German missionaries and tourists are no longer allowed to travel in the interior of China, because China has severed her diplomatic relations with Germany. Your Excellency also states that German subjects of the respectable class should be allowed to travel in the interior, unless there are local disturbances; otherwise, it will be in violation of the treaty provisions. Therefore, you request this Ministry to issue proper instructions to the said Commissioner of Foreign Affairs in order to avoid any misunderstanding.

In reply I have the honor to inform you that since China has severed her diplomatic relations with Germany, the Chinese Government finds that if German subjects are allowed to travel in the interior as formerly, untoward events may arise; and, consequently with a view to offering better protection it has been decided to stop

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issuing such passes ordinarily. However, in the cases of those German subjects who are obliged to travel on business, and who have obtained official certificates of the Netherlands Consuls to that effect, passes may be still granted. The above arrangements have already been communicated to all the Commissioners of Foreign Affairs.

I avail, etc.

[sd.] Wu Ting-fang.

No. 141.

*The Minister of Foreign Affairs to the Netherlands Minister
at Peking.*

[*Note—Translation.*]

Peking, 13th day, 4th month,
6th year of the Republic.

[April 13, 1917.]

Your Excellency :

I have the honor to acknowledge the receipt of Your Excellency's Note dated April 7 in which you made inquiry as to how the Chinese Government would treat German residents in China.

In reply I have the honor to state that, as Your Excellency is well aware, since the rupture of our diplomatic relations with Germany, the Chinese Government has always treated the German residents with leniency. With regard to the desire of the German Government to know definitely as to how China will treat German residents and their property in China, the Chinese Government declares that its attitude in these matters will be in strict accordance with International Law. On the other hand, the Chinese Government sincerely hopes that the German Government will also treat Chinese residents and their property in Germany according to International Law.

But if, as mentioned in your note, the German Government desires to know first how China will treat the German residents in China, before it will allow Chinese residents to leave Germany, it is tantamount to treating them as hostages against which the Chinese Government feels constrained to lodge a strong protest. Please be so good as to transmit the above to the German Government.

I avail, etc,

[sd.] Wu Ting-fang.

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No. 142.

The Military and Civil Governors of Kwang-tung to the Office of the Cabinet, the Ministry of War, the Ministry of Foreign Affairs and the Ministry of the Interior.

[*Telegram—Translation.*]

Canton, 20th day, 4th month,

6th year of the Republic.

[April 20, 1917.]

Sir :

We have received a letter from the Netherlands Consul in Canton, stating "I have received a telegram from the Netherlands Minister in Peking to the effect that although diplomatic relations between China and Germany have been severed, the rights and privileges stipulated in the treaties between the two countries concerning the protection of, the jurisdiction over and the trial of German subjects have not been abrogated. The exercise of the said rights and privileges is to be taken charge of by the Netherlands Consuls. Germans who, on account of commercial business, wish to go to the interior of China, may go and return at will, excepting that passports for protection should be secured from the Chinese officials through the Netherlands Consuls. When Chinese officials wish to go to the German Consulates, they cannot go at will, but must first obtain the consent of the Netherlands Consuls. The arms that are stored in the German Consulates must not be handed over to the Chinese officials."

"In Kwang-tung, the regulations for the protection of German subjects which require registration, have been carried out without consulting me. This is contrary to the telegraphic instructions from my Minister. I therefore strongly protest and request that the various regulations governing the treatment of German subjects be cancelled," etc., etc.

On examining the regulations sent out by the Ministry, concerning the registration and inspection of German subjects, we find no provisions requiring us to consult and act through the Netherlands Consul. Hence we have sent delegates to act in a peaceable manner, entirely in accordance with the regulations of the Ministry. Moreover, in Canton and Shameen, the registration has been completed, and the inspection is nearly completed. The arms in the German Consulate at Pei Hai have been inspected and taken over. They have all submitted. However, owing to the protest of the Netherlands Consul, we have not yet ordered the inspection of the German Con-

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sulate at Shameen, nor taken over the arms now stored in the said Consulate.

As we were about to ask for instructions concerning the proper way of dealing with the situation, the letter of protest from the Netherlands Consul came, requesting the cancellation of the regulations for the treatment of German subjects. We would like to ask the Minister of Foreign Affairs to negotiate with the Netherlands Minister, so that there will be no interference with our proceedings.

We further beg you to instruct us on the following questions:

- (1) Whether or not the treaties with Germany have been suspended.
- (2) Whether or not the rights and privileges of the German Consuls should be exercised by the Netherlands Consuls.
- (3) What are the proper ways of dealing with the situation.

Many German churches in the interior are situated in out-of-the-way places where there are no soldiers or police, and consequently it is most difficult to give them protection. Robbers are always abundant in Kwang-tung. The missionaries request to be exempted from surrendering their pistols, which they say they need for self-protection, a claim which we believe to be well founded. Please instruct us whether or not we may permit them to retain one or two pistols for self-protection, on condition that they give proper written guarantees.

[sd.] Tan Hao-ming.

[sd.] Chu Ching-lan.

No. 143.

*The Minister of Foreign Affairs, the Minister of the Interior and the
Minister of War to the Military and Civil Governors
of Kwang-tung.*

[*Telegram—Translation*]

Peking, 28th day, 4th month,
6th year of the Republic.

[April 28, 1917.]

Your telegram of 20th noted. The regulations drawn up by the Central Government for the treatment of German subjects have already been carried out in the different provinces. It is difficult to comply with the request of the Netherlands Consul at Canton. The inspection of the German Consulate at Shameen may be dispensed with. However, the arms must be handed over to us for safe keeping.

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That has been done in Foochow. In case of persistent refusal to hand them over, you should, of course, protest to the Netherlands Consul.

As regards the German missionaries, if the locality where they reside is really not peaceful, there is no objection to permitting them to retain one or two pistols for self-protection on their giving proper written guarantees. Please act accordingly.

[sd.] Wu Ting-fang.

[sd.] Fan Yuan-lien.

[sd.] Tuan Chi-jui.

No. 144.

*The Minister of Foreign Affairs to the Netherlands Minister
at Peking.*

[Note—Translation]

Peking, 30th day. 4th month,
6th year of the Republic.

[April 30, 1917.]

Your Excellency :

I have the honor to acknowledge the receipt of Your Excellency's note of April 11 on the subject of the jurisdiction over German subjects in China. It may be admitted that the treaties concluded between two Powers cannot, according to international law, be affected by the severance of diplomatic relations. But in view of the principle of international law not allowing the delegation to a third Power of the exercise of consular jurisdiction, the application of the principle first above-mentioned to the matter of consular jurisdiction can not be recognized in practice, for the consular jurisdiction conferred by China upon Germany is, according to international law, a sort of special right, and as the German Consuls in China, having left China after the severance of diplomatic relations between China and Germany, are no longer capable of actually exercising the functions and authority conferred by treaty, all cases whether civil or criminal concerning German subjects, ought to be tried and adjudicated entirely by the Chinese authorities. Nevertheless, the Chinese Government, in the interest of the better treatment of German subjects in China, and for the purpose of maintaining peace and order informed Your Excellency in the Wai Chiao Pu's Memorandum of the 31st day of the last month that all cases concerning German subjects, civil or criminal, which have in the past been tried

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and adjudicated by German Consuls in China, may now be tried and adjudicated by the Netherlands Consuls in China, with the exception, however, of certain criminal cases provided for in the Chinese Criminal Code, which shall be tried and adjudicated by the Chinese authorities in accordance with the Provisional Regulations Governing the Trial and Adjudication of criminal cases affecting Germans, a copy of which was enclosed therein. Such an arrangement being most fair and equitable, I, therefore, request Your Excellency to issue instructions for the carrying out of the same.

I avail, etc.

[sd.] Wu Ting-fang.

No. 145.

The Netherlands Minister at Peking to the Minister of Foreign Affairs.

[Note—Translation.]

Peking, April 30th, 1917.

Your Excellency :

In reference to information which I have received from time to time concerning the regulations issued in certain provinces to which German subjects are obliged to submit, I had the honor to suggest to Your Excellency by my letter of March 28, No. 559, that the officials in the provinces be instructed to the effect that they should not take any measures which would be in conflict with the treaty stipulations according to which German subjects have the right to reside peacefully in China.

Now there have been published in the *Government Gazette* of the 18th inst. by the Minister of War for application in all the provinces and special areas, regulations concerning "the protection of Germans leaving the country" and regulations concerning the "protection of German merchants and missionaries residing in China," many articles of the said regulations being inconsistent with the treaty provisions. The fact that special regulations have been enacted to govern German subjects which could not be applied to subjects of other treaty Powers, is in itself a violation of the treaty provision which expressly guarantees the most favored treatment to German subjects under the most favored nation clause. Therefore, I must formally protest against the said regulations.

Of the regulations for the "protection of German merchants and missionaries residing in China," there is one article to which I desire to draw Your Excellency's special attention ; that is that the German

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merchants and missionaries shall observe all the Chinese laws and orders which are now in force or may be enacted in future, etc.

It is clear that in the said article, by "orders" is meant either the lawful regulations enacted by the Chinese authorities which are made binding on foreigners in virtue of the treaties, or the special regulations promulgated by the foreigner's own Government. It was so understood by the German merchants and missionaries and they have subscribed their signatures to a declaration in this sense when, in pursuance of the prescription of Art. 3 of the "Regulations concerning the protection of German merchants and missionaries residing in China" they registered their names and occupations before the highest local authorities. But it came to my knowledge that, in certain foreign newspapers published in China,—papers which manifestly treat lightly the importance and respect which the Chinese Government attaches to international law as well as to the treaties concluded by China—the aforesaid regulation was construed as if the German subjects were deprived of the rights guaranteed them by the treaties. Even the French Consul-General at Shanghai has adopted this erroneous interpretation as a pretext, notwithstanding the rights and sovereign power of China over the territory of the French concession in that city, in order to take divers measures against the Germans in contravention to treaty stipulations.

In view of these facts—against which Your Excellency has no doubt protested—I believe, I may submit for Your Excellency's consideration that there should be an explicit declaration without delay showing that the Chinese Government not only requires from others respect for rights arising out of treaties and out of the principles of international law, but that the Government itself has chosen these treaties and principles as its rule of conduct from which it will make no departure.

I avail, etc.

[sd.] Beelaerts van Blokland.

No. 146,

The Netherlands Minister at Peking to the Minister of Foreign Affairs.

[Note—Translation.]

[May 12th, 1917.]

Your Excellency :

I have the honor to acknowledge the receipt of Your Excellency's note of the 13th ultimo, the contents of which I have already trans

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mitted to the German Government. The German Government was well satisfied when it learned from my telegram that the Chinese Government has declared that during the War, the German residents and German property in China will be treated in accordance with International Law. The German Government also states that since there is such a declaration on the part of the Chinese Government, the various rumors that the Chinese Government intends to expel all German residents or intern them may therefore be untrue. But in order definitely to know whether this is so or not, the German Government desires me to request Your Excellency to make a special statement, that is that the Chinese Government has no intention to expel the German subjects in China or to intern them. With regard to the Chinese citizens residing in Germany, the German Government is also quite willing to make a statement that it will treat them in accordance with International Law, and will allow those Chinese citizens who so desire, to continue their residence and to move freely and enjoy full protection and also to continue their occupations and businesses without interference. With regard to the Chinese students in Germany the Minister of Education has already instructed all the schools and colleges, to allow them to continue their studies without the least hindrance.

I am happy to be able to transmit the above information to Your Excellency, and hope that you will favor me with an early reply so that any misunderstanding, which the German Government may have in regard to the intention of the Chinese Government, may be totally removed.

I avail, etc,

[sd.] Beelaerts van Blokland.

No. 147.

The Minister of Foreign Affairs to the Netherlands Minister at Pekin

[*Note—Translation.*]

Peking, 19th day, 5th month,
6th year of the Republic.

[May 19, 1917.]

Your Excellency:

I have the honor to acknowledge the receipt of your note dated the 12th instant in which Your Excellency requested me to make a

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special statement regarding the treatment of German residents in China.

In reply, I beg to state that in fact the Chinese Government has, as a matter of course been dealing with the German residents in strict accordance with International Law, which statement I have already communicated to you in a previous dispatch, and which has been well borne out by the fact that we have repeatedly requested the allied Governments to grant "safe conducts," and to allow the extension of the time limit so as to ensure the safe return of German subjects desiring to leave China. All these facts are plain evidences of the sincerity of the Chinese Government and yet the German Government, still with suspicion, on the one hand requests you to ask the Chinese Government again to declare its intentions regarding the treatment of German residents, and on the other hand detains the Chinese students in Germany and in Brussels, refusing to give them passports to leave, thus placing them under restraint. This action of the German Government can hardly convince the Chinese Government that the treatment of Chinese residents in Germany is in conformity with the rules of International Law. What the Chinese Government is doing, as has already been communicated to you, is in strict conformity with International Law, and beyond this there is no need for further statement. With regard to the detention of Chinese students in Germany, the Chinese Government is obliged to lodge a strong protest.

I have therefore the honor to request Your Excellency to be so good as to transmit telegraphically the contents of this communication to the German Government.

I avail, etc.

[sd.] Wu Ting-fang.

No. 148.

*The Minister of Foreign Affairs to the Netherlands Minister
at Peking.*

[*Note—Translation.*]

Peking, 25th day, 5th month,
6th year of the Republic.

[May 25, 1917.]

Your Excellency:

I have the honor to acknowledge the receipt of Your Excellency's note of the 30th ult. with reference to the regulations governing

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German subjects residing in China. In reply I beg to say that all arrangements in connection with the treatment of German subjects are based on the principles of International Law and my note of the 13th ult. was to this effect. As to the regulations recently published by the Chinese Government for the observation of the German subjects they are specially formulated in accordance with the common usages obtaining among nations with careful changes to suit the circumstances. With regard to the provision that the German merchants and missionaries must observe all the Chinese laws and orders in force at present and enacted in the future, these laws and orders certainly mean only the special laws and orders governing German merchants and missionaries, as well as such detailed regulations governing the application thereof as may be enacted. They do not mean the general laws and orders of this country. With this explanation I trust that Your Excellency will be relieved of all difficulties concerning the aforesaid provision.

As regards your statement that the French Consul-General at Shanghai has taken divers measures against the Germans in the French Concession, contrary to the treaties, I am in need of enlightenment concerning the particular acts of which you complain. If the French Consul-General has acted beyond his rights, the Chinese Government would not view it with indifference.

I avail, etc.

[sd.] Wu Ting-fang.

No. 149,

The Netherlands Minister at Peking to the Minister of Foreign Affairs.

[Note—Translation.]

Peking, May 29th, 1917.

Your Excellency:

I have the honor to acknowledge the receipt of Your Excellency's note dated the 25th instant which I have noted.

The meaning of the regulations which provide that German merchants and missionaries must observe all the Chinese laws and orders now in force or to be enacted in the future, is now clear to me. If the aforesaid laws and orders do not contravene the treaties on the one hand, and on the other do not place the German merchants and missionaries in a less favorable position than the subjects of other treaty Powers, there would be no occasion for me to make any objection. Your Excellency has repeatedly declared that the treatment

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of the German residents will be in accordance with International Law ; this, of course, leaves me no ground of complaint. However, I cannot maintain my silence when in actual practice, the Chinese authorities frequently have disregarded their declarations.

With reference to your statement that the regulations promulgated by the Chinese Government for the observation of German residents are specially formulated in accordance with the common usages obtaining among nations with careful changes to suit the circumstances, etc., I feel very much surprised. Many cases may be found in history where two States, on account of differences broke off diplomatic relations, yet the breach resulted in no declaration of war. Occasionally, the breach has lasted for several years without any change of conditions. It is not on record that one of the said States parties to the breach violated treaties and imposed certain special regulations upon the nationals of the other State. What is known as the common usage is that after the severance of diplomatic relations, the nationals of the two States are left unmolested by the State in which they reside and enjoy the same protection as is accorded to the resident nationals of other countries. Any arrangement other than this, would be contrary to the principles of International Law now in practice. Because, according to such Public Law, the resident nationals of an enemy country should be generously treated even if a state of war exist. Naturally, it is not permissible to infringe their legal rights. Therefore, it is all the more a violation of International Law to enact special regulations with respect to the residents of another country when a state of war is not in existence.

As regards the divers measures which the French Consul-General at Shanghai has taken against the Germans in the French Concession, in contravention of International Law, I need not cite each separate case. But suffice it to point out the case of the Deutsche Medizin und Ingenieurschule für Chinesen in Schanghai. The special Commissioner of Foreign Affairs must have reported the said case to Your Excellency in connection with other cases.

Moreover, the Special Commissioner of Foreign Affairs at Hankow has repeatedly protested against the actions of the French Consul at that port affecting German persons and property in violation of treaty provisions.

Assuming that Your Excellency is also aware of the cases above referred to, I have the honor to request that Your Excellency will instruct the officials concerned in the various provinces to the effect

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that the treatment of the Germans in China should conform to the treaty provisions in order to avert any misunderstanding which may cause regret to the Chinese Government.

I avail, etc.

[sd.] Beelaerts van Blokland.

No. 150.

The Minister of Foreign Affairs to the Netherlands Minister at Peking.

[*Note—Translation.*]

Peking, 9th day, 6th month,
6th year of the Republic

[June 9, 1917.]

Your Excellency:

I have the honor to acknowledge the receipt of Your Excellency's note in which you stated that the Commissioners of Foreign Affairs at Shanghai and Hankow have refused to issue permits to German subjects who desire to spend the summer at Kuling and Mokanshan.

In reply, I have the honor to state that since the rupture of our diplomatic relations with Germany, regulations have been adopted providing that when necessity arises the issue of passports to German subjects may be suspended.

During the last two months, however, the issuance of passports to German subjects going to the above mentioned places has always been approved upon their request presented to the Commissioners of Foreign Affairs. This is only a proof of the Chinese Government's generous policy. It is evidently a case of misunderstanding when it is stated in your note that the Chinese Government has acted in contravention of Treaties.

In short, this Government has been treating German subjects with every courtesy, while the German Government is refusing to issue passports to those Chinese citizens who desire to leave Germany. I do not doubt that Your Excellency is able to form a correct opinion as to who is really violating International Treaties. If the German Government persists in its course of action as regards the Chinese residents in Germany, this Government may be compelled to modify the present mode of treating German residents in China.

I avail, etc.

[sd] Wu Ting-fang.

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No. 151.

*The Minister of Foreign Affairs to the Netherlands Minister
at Peking.*

[*Note—Translation.*]

Peking, 26th day, 6th month,
6th year of the Republic.

[June 26, 1917.]

Your Excellency:

I have the honor to acknowledge the receipt of Your Excellency's note of the 29th inst. with reference to the various regulations recently published by this country concerning German subjects residing in China.

As it is stated in Your Excellency's note that your Excellency now understands the meaning of these regulations I need not explain them any further. In regard to our claim to conform to the common usages obtaining among nations, it may be observed that to protect foreign merchants and to maintain public peace within the country, must be considered as the common practice of nations. As China has severed her diplomatic relations with Germany and there remain in China a large number of German merchants and missionaries, it is only natural that China should provide proper means to protect them and at the same time to preserve the peace of the country. Since the condition of affairs in China is different from that obtaining in other countries therefore we were compelled to formulate these regulations carefully in order to suit the circumstances. These regulations are by no means inconsistent with International Law or contrary to the existing Chino-German treaties.

As to the measures taken by the French Consuls at Shanghai and Hankow against the Germans, since the arrival of some local reports on that subject, I have already instructed the several commissioners of Foreign Affairs to make careful investigation in regard thereto.

I avail, etc.

[sd.] Wu Ting-fang.

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No. 152.

The Minister of Foreign Affairs to the Netherlands Minister at Peking.
[Note—Translation.]

Peking, 30th day, 7th month,
6th year of the Republic.

[July 30, 1917.]

Your Excellency:

I have the honor to acknowledge the receipt of Your Excellency's note in which you requested me to secure "safe-conducts" from the various foreign Ministers at Peking for the German civil officials and their families as well as the wives and children of the German military officers in Tsingtao who are all desirous of going home—and you also asked through a member of your Legation sent to this Ministry for the same treatment to be accorded to the German subjects employed in the Chinese Postal Service.

In compliance with these requests we have already consulted the foreign Ministers concerned in Peking, some of them have consented while others have refused.

For this reason we have made repeated requests, with the result that the British Minister has stated to me that the request will be complied with on three conditions, as follows:

- I. The said Germans shall travel in groups.
- II. The safe-conducts shall be good for three months only and the Germans will be subject to inspection.
- III. The vessel conveying the said Germans when travelling *via* the Atlantic Ocean, shall stop over at Halifax for inspection, and shall proceed direct to Norway, Sweden or Holland in order that they may land. No stop will be allowed, at any other port on the way, after leaving Halifax.

The French Legation has also agreed to the above arrangement. The above conditions were communicated to Your Excellency on the 21st instant by a representative from this Ministry and we have received Your Excellency's reply stating that the said three conditions will be observed by the departing Germans.

The American Government, upon our urgent request, has now expressed its willingness to allow the said Germans to travel by way of the United States. The Japanese Government has also agreed but stated that, owing to the large number of departing Germans, some other form of permit would be issued instead of the regular

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“safe-conducts”; and that with regard to the German Civil Governor of Tsingtao, he will not be allowed to leave that place on account of special circumstances.

The fact that all the foreign Ministers concerned in Peking have now satisfactorily consented to issuing the necessary permits after so much trouble on our part, shows that the Chinese Government has done its utmost as will be understood by Your Excellency.

However, this Government finds it difficult to understand why the German Government, in spite of our repeated protests addressed through Your Excellency on the 19th of the 5th month [May 19th] and the 9th of the 6th month [June 9th] is still detaining our students in Germany and Belgium, leaving our protests unanswered. We are equally at a loss to understand the purpose of the German Government, because its actions clearly contradict its declaration made through Your Excellency that the German Government would observe the rules of International Law in regard to the treatment of Chinese citizens in Germany.

This Government being unable to longer tolerate this course of action is compelled to request Your Excellency again to transmit to the German Government by telegraph our strong protest with the hope that the German Government, realizing our kindness to the German subjects in China, will grant the same courtesy to the Chinese residents and students in Germany and Belgium, by permitting them to leave those countries as they desire, in conformity with International Law. I shall be much obliged if Your Excellency will be so good as to favor me with an early reply.

I avail, etc.

[sd.] Wang Ta-hsieh.

No. 153.

*The Commissioner of Foreign Affairs for Chihli to the Premier
and the Minister of Foreign Affairs.*

[*Telegram—Translation.*]

Tientsin, 14th day, 8th month,
6th year of the Republic.

[*August 14, 1917.*]

The Ministry's telegram of the 13th has been duly received. This morning at 7 o'clock I conferred with the Civil Governor here with regard to taking over the Austrian Concession, thereafter a

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conference was held with the Austrian Consul to that end. In the afternoon at 4 o'clock we took over the Austrian Concession completely and despatched policemen to take charge of the same. All arms in the Austrian barracks and the Austrian Municipal Building have also been delivered to us. At 5 o'clock I went to the Special District (the former German Concession) accompanied by the Netherlands Delegate to take over the arms and military supplies stored in the former German barracks. They were all delivered up. The Chinese national flag has been hoisted over all the above mentioned places with the exception of the Austrian Consulate where the Austrian Consul wished to hoist the Netherlands flag because Austrian interests will be entrusted to Holland. As I have not received instructions from the Ministry I refused to consent. Finally it was agreed to hoist no flag pending my request for instructions from the Ministry. Please decide as an urgent matter and instruct me by telegraph.

With regard to the passports for the Austrian Consul and his staff, they will be issued to-morrow.

[sd.] Hwang Yung-liang.

No. 154.

Petition of the Minister of the Interior. Addressed to the President, Praying for the Establishment of Bureaux for the Municipal Administration of the Special Areas at Tientsin and Hankow, Requesting Permission to Appoint Chiefs of the Bureaux and Submitting Regulations.

[*Translation from the Government Gazette of the 14th day of the 8th month, 6th year of the Republic, (August 14th, 1917.)*

After this country severed diplomatic relations with Germany, it became necessary to take over the administration of the German Concessions which had been established at Tientsin and Hankow and to organize Provisional Bureaux for the Administration of the Special Areas. This Ministry also petitioned and received permission to appoint the Chiefs of the Police Departments at Tientsin and Hankow to act, in addition to their other duties, as Chiefs of the Provisional Bureaux.

Now that a Mandate has been received, announcing that the country has entered into a state of war with Germany and Austria, the name of the Bureaux should be changed by the dropping out of

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the word "Provisional". Furthermore, since the activities of the Bureaux fall within the scope of municipal government, the name should be changed from "Bureaux for the Provisional Administration of the Special Areas" to "Bureaux for the Municipal Administration of the Special Areas."

In regard to the Austrian Concession at Tientsin, the Ministry will write to the Governor of Chihli, at once to instruct the Chief of the Bureau there likewise to take over the administration of the same.

The Regulations which have been proposed are submitted herewith for sanction. If they are accepted, permission is requested to appoint Yang I-té, the Chief of the Police Department at Tientsin, Chihli, to act, in addition to his other duties, as Chief of the Bureau for the Administration of the Special Area at Tientsin, and Chou Chi-yun, Chief of the Police Department at Hankow, Hupeh, to act, in addition to his other duties, as Chief of the Bureau for the Administration of the Special Area at Hankow.

This petition was respectfully submitted, and on the 14th of the 8th month, the 6th year of the Republic [August 14, 1917,] a Mandate was received sanctioning the same.

Regulations Governing the Bureaux for the Municipal Administration of the Special Areas.

Article 1. Each Bureau will have a Chief, who will have the direction of the following matters, under the supervision of the Civil Governor of the Province :

1. All administrative matters within the Special Area.
2. Policing, policing arrangements, and all other administrative arrangements. But matters connected with foreign relations will be dealt with in conjunction with the Special Commissioner of Foreign Affairs for the province.

Article 2. Each Bureau shall have the following staff : the number of which will be fixed by the Chief of the Bureau and reported to the Civil Governor, who will inform the Ministry of the Interior.

1. Departmental Chiefs of the Bureau.
2. Members of the Bureau.
3. Advisers.
4. Secretaries.
5. Clerks.

Article 3. In case, within the municipality, it should be necessary to continue certain public works, the Bureau will draw up plans

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and submit them, through the Civil Governor, to the Ministry of the Interior for approval.

Article 4. Regulations announced by the Chief of the Bureau must be transmitted by the Governor to the Ministry of the Interior for approval.

Article 5. In the case of all matters for which provision has not yet been made, the Chief of the Bureau will draw up plans and submit them, through the Governor, to the Ministry of the Interior or other Ministry concerned for approval.

Article 6. These Regulations shall be in force from the date of promulgation.

No. 155,

The Minister of Foreign Affairs to the Netherlands Minister at Peking.
[Note—Translation.]

Peking, 14th day, 8th month,
6th year of the Republic.

[August 14, 1917.]

Your Excellency:

After the severance of diplomatic relations between China and Germany, the Chinese Government drew up laws and rules of procedure governing the trial of German residents in China in civil and criminal cases. A copy of the said criminal laws was sent to Your Excellency by this Ministry on the 31st day of the 3rd month [March 31st] of this year.

Now that China has declared that a state of war exists between China and the countries of Germany and Austria-Hungary, the aforesaid laws governing the trial of Germans in criminal cases are no longer suitable for use. Therefore, this Government has enacted Provisional Regulations governing the trial of enemy subjects in civil and criminal cases, and has promulgated the same to take effect on the 14th day of the 8th month [August 14th] of this year. Accordingly, I have the honor to inclose a copy of the said Provisional Regulations to Your Excellency herewith.

I avail, etc.

[sd.] Wang Ta-hsieh.

Enclosure: as stated.

(Inclosure.)

Presidential Mandate.

[Translation.]

We hereby promulgate the Regulations Governing the Trial of enemy subjects in civil and criminal cases.

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Seal of the President.]

Peking, 14th day, 8th month,
6th year of the Republic.
[August 14, 1917.]

Countersigned by

Tuan Chi-jui, Premier.

Wang Ta-hsieh, Minister of Foreign Affairs.

Lin Chang-min, Minister of Justice.

Instructional Mandate No. XII.

[Translation.]

Regulations Governing the Trial of Enemy Subjects in Civil and Criminal Cases:

(1) For the duration of the War all civil and criminal cases in which enemy subjects are concerned shall be tried by the Chinese Courts of Justice.

In case an enemy subject and the subject of a foreign country are concerned in a civil case, the Consul of the said foreign subject shall, in accordance with Treaty stipulations, have jurisdiction, and the foregoing provision shall not apply.

(2) Except in connection with crimes enumerated in Sections 3 and 4 of Article 6 of the Draft Code of Criminal Procedure, the preliminary hearing of all cases provided for in the first section of the foregoing Article shall be conducted by the Local Procuratorate and Local Court. In localities where local procuratorates and local courts have not yet been established, the local authorities shall refer all such cases, together with the necessary documents, to the nearest Local Procuratorate and Local Court. In Hsin-kiang, Jehol, Suiyuan, Chahar and similar localities, the judicial powers of the Local Procuratorate and the Local Court shall be exercised by the Judicial Preparation Bureau, the Judicial Departments of the Tutung Yamens and the local courts attached to the Judicial Departments.

Except in those special jurisdictions above set forth, the trial of all civil and criminal cases provided for in the foregoing Article shall be in accordance with the Law Governing the Organization of the Judiciary and other Laws and Mandates.

(3) Enemy subjects undergoing detention in consequence of civil and criminal cases, or serving sentences in connection with criminal cases, or ordered to work in reformatories as a result of civil cases, shall do so in the modern prisons.

(4) Whenever a revision of these regulations is considered necessary the revision shall be carried out by an Instructional

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Mandate of the President upon the recommendation of the Ministry of Justice.

(5) These Regulations shall take effect on and from the day of their promulgation.

No. 156.

The Ministry of the Navy to the Ministry of Foreign Affairs.

[*Letter—Translation.*]

Peking, 15th day, 8th month,
6th year of the Republic.

[August 15, 1917.]

To the Ministry of Foreign Affairs:

Concerning the internment of the Austrian ships at Shanghai, we have received two telegrams from Commander Ling to the effect that internment was successfully effected, but that the disposition of the officials and crews of Austrian ships should be made by the local authorities. This Ministry has already communicated with the Ministry of the Interior to that end. We hereby request your Ministry to telegraph to the Special Commissioner of Foreign Affairs instructing the latter to co-operate with the municipal authorities at Shanghai, in order that the Austrian sailors may be transferred and interned on land, whereby the matter of internment may be brought to an end. In your reply please inform us of the details in respect to the internment. Besides communicating with the Ministry of the Interior, we take the occasion to inclose to you copies of the two telegrams before mentioned.

[seal] Ministry of the Navy.

Enclosure.

[*Inclosure—Telegram—Translation.*]

*Commander Ling Tsun-chuan to the Ministry of the Navy and
Commander-in-Chief Rau, Hsia-kwan.*

Shanghai, 14th day, 8th month,
6th year of the Republic.

[August 14, 1917.]

Trusting you have received my previous telegram of to-day's date, I beg to report to you that three Austrian ships were completely taken possession of by our officials and sailors at noon to-day. The internment was effected without incident. Regarding the disposition of the Austrian crews, plans are under consideration.

[sd.] Ling Tsun-chuan.

[The second telegram is omitted.]

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No. 157.

The Ministry of War to the Ministry of Foreign Affairs.

[*Letter—Translation.*]

Peking, 17th day, 8th month,
6th year of the Republic.

[August 17, 1917.]

To the Ministry of Foreign Affairs :

We beg to acknowledge the receipt of your communication in which you say, "After the severance of diplomatic relations between China and Germany, apprehending that the German residents might conceal dangerous weapons, your Ministry drew up Provisional Inspection rules. Now that this country has declared war against both Germany and Austria-Hungary, it is presumed that your Ministry has made similar inspection rules concerning the residents of Austria-Hungary. If you have already telegraphed these rules to the Provincial Authorities we request that we may be furnished copies of your telegrams concerning them, in order that we may co-operate in regard thereto," etc., etc.

In reply, we beg to say that when we received the order carrying the declaration of war, we at once drew up Provisional Inspection rules which are applicable to Austro-Hungarian subjects, and on the 14th instant transmitted these rules by telegraph to the various Provincial Authorities. In compliance with your request, we enclose copies of our telegrams herewith.

Ministry of War.

Enclosures : as stated.

(*Inclosure 1*)

[*Circular Telegram—Translation.*]

Peking, 14th day, 8th month,
6th year of the Republic.

[August 14th, 1917.]

To the Military and Civil Governors of the Provinces, the Lieutenant-Generals of Jehol, Kalgan and Kwei-Hwa, the Military Commissioners of Shanghai and Ning-Hsia, Director-General Lung of Chiung-Chow, Director-General Chang of Hsu-chow, the Garrison Commissioner of the Szechuan Frontiers, the Resident Commissioner of Altai,* etc., etc.

*The following 6 circular telegrams were addressed to the same parties.

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Please forward the following to all other Garrison Commissioners, Army Chiefs and Commanders of Brigades and Regiments, etc., etc.

When the protest of our Government against Germany's policy in carrying on its ruthless submarine warfare proved to be ineffective, this country was obliged to break off diplomatic relations with Germany. On the 14th day of the 3rd month, [March 14.] we telegraphed all the armies to this effect. Since then five months have elapsed, and the German submarines not only still keep up their lawlessness as before, but Germany's ally Austria-Hungary also shows no sign of repentance. Our Government, having regard of its dignity, being mindful of the dictates of humanity, and entertaining great concern over actual and possible losses of life and property by our citizens, has to-day declared war against Germany and Austria-Hungary.

All men in our armies should know that the morale and success of the army are dependent upon the Justice of the cause. When the cause is righteous, you will fight for it bravely without yielding an inch. The course which the nation has chosen to take, shows the great responsibility of the soldiers. It behooves you to observe great caution and to acquit yourselves with vigilance. There must be no relaxation in preparedness. There must be no hatred or undue pride. Every step and movement of yours must be in accord with the rules prescribed by the Law of Nations. By so doing, your military glory will be insured in all the coming years. Upon you depends the whole nation. In this war, our nation rises like one man profoundly moved by an unselfish motive. It gives courage to think of the fiery enthusiasm of our soldiers to defend their national honor.

It is hereby specially ordered that all the laws of war and of the army shall be strictly adhered to. It is sincerely hoped that durable peace will be hastened by this step taken by our nation.

The details of the rules and regulations will be separately promulgated. Command your men to give obedience thereto.

Ministry of War.

(*Inclosure 2*)

[*Circular Telegram—Translation.*]

Peking, 14th day, 8th month,
6th year of the Republic.

[August 14, 1917.]

We hereby publish the following rules and regulations concerning the protection to be accorded to enemy subjects who choose to leave

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the country. Please enforce the same in your jurisdiction, and reply upon the receipt of this telegram.

Art. 1. Within five days after the declaration of war, all enemy subjects residing in China, who desire to leave the country, shall apply for their passports from the local officials. The application shall state the name, age, address and occupation of the applicant.

Art. 2. The property and belongings taken by enemy subjects upon their departure shall be inspected. All property not adapted for military purposes, may be carried away without limitation. Those properties which are to be kept in China, shall be governed by Section IV. of the Regulations governing the Provisional Inspection of enemy subjects.

Art. 3. When the provisions as prescribed in the foregoing sections are satisfied, the local officials shall fix a convenient date and furnish military or police escorts for the enemy subjects to proceed on their journey. Before they start to leave, their movements shall be specially watched.

Art. 4. The route by which the enemy subjects are to leave the country, shall be decided by the Government.

Art. 5. The number of military or police guards to escort the enemy subjects, shall be decided according to the special conditions of each locality. Each locality shall provide an escort as far as the limits of the locality, then the next contiguous locality shall provide an escort in succession, until the national territorial limits of China are reached.

Art. 6. The officials of each locality shall notify the officials of the next locality in advance regarding the time schedule by which enemy subjects are to take leave, in order to prevent delay in providing an escort.

Art. 7. Upon arrival at each destination, the escort about to be discharged shall procure a statement from the departing enemy subjects to the effect that they have been escorted safely and comfortably to such place as the case may be. Such statement shall be forwarded to the Central Government by each locality concerned. The most important of all the statements is the one to be made upon leaving the national territorial limits.

Art. 8. The officials of each locality concerned shall hire carriages and boats for the conveyance and transportation of the enemy subjects, who shall pay the expenses themselves.

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(*Inclosure 3*)

[*Circular Telegram—Translation.*] [

Peking, 14th day, 8th month,
6th year of the Republic.

[August 14, 1917.]

We hereby publish the following rules and regulations governing Provisional Inspection. Please enforce the same in your jurisdiction and reply upon receipt of this telegram.

- I. After the declaration of war, all enemy subjects shall be subject to Provisional Inspection.
- II. The objects of Provisional Inspection are as follows :
 - (a) Inspection of houses, residences, shops, stores, or churches of enemy subjects.
 - (b) Inspection of baggage, to be made upon the removal of enemy subjects.
- III. The following articles shall be confiscated :
 - (a) Explosives, or materials for the manufacture of explosives.
 - (b) Arms and ammunition.
 - (c) All books, maps, drawings and statistics, not for sale, concerning Chinese military affairs.
- IV. The following articles shall be handed over to the local officials, and shall be held pending the return of peace :
 1. Hunting guns and cartridges.
 2. Swords, and sabres which can be used for military purposes.
 3. Saddles, bags, canteens and implements that may be converted into military use. Saddles for the use of individuals in peaceful life, are exempted.
 4. Aeroplanes and parts of aeroplanes.
- V. These rules and regulations shall be enforced by all the branch Bureaux of Provisional Inspection to be established by the high military authorities in the various localities.

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(*Inclosure 4*)

[*Circular Telegram—Translation.*]

Peking, 14th day, 8th month,
6th year of the Republic.

[August 14, 1917.]

We hereby publish the following rules and regulations governing the Internment camps for Prisoners of War. Please enforce the same in your jurisdiction and reply upon receipt of this telegram.

I. The treatment of prisoners of war shall be in accordance with the principles of toleration and sympathy. The movements and conduct of prisoners of war shall be watched in order to safeguard against any emergency.

II. Internment camps shall be established in proper quarters at a distance outside the city, where the means of communication and transportation are convenient.

III. The rooms of internment camps shall be clean and sanitary.

IV. Internment camps shall be provided with dispensary, sick ward, and bathing facilities.

V. Internment camps shall have a physician residing in the camp.

VI. In case any prisoner of war is sick, if the camp physician certifies that the nature of any sickness is contagious, the patient shall be removed in charge of a responsible employé to a designated hospital.

VII. Officials among the prisoners of war shall be given special rooms. The number of occupants in each room shall be determined according to circumstances.

VIII. The rooms in the internment camps shall be provided with furniture necessary for daily use.

IX. Bedding and food shall be supplied to the prisoners of war according to the common usage among nations. Prisoners of war may provide their own bedding which must be examined by the Chief Inspector of the Camp.

X. The prisoners of war may send and receive mail or money orders, subject to the regulations of the camp.

XI. The prisoners of war shall obey the orders of the Chinese Government and instructions of the Chief Inspector of Camp, under penalty of close confinement. Crimes shall be punished by court-martial.

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XII. Unless special permission be granted by the officials of the camp, no prisoner of war shall leave the camp.

XIII. Unless by permission of the officials of the camp, no prisoner of war shall receive a visitor or friend, or invite an other person to sleep or eat in the camp.

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(*Inclosure 5.*)

[*Circular Telegram—Translation.*]

Peking, 14th day, 8th month,
6th year of the Republic.

[August 14, 1917.]

We hereby publish the following rules and regulations governing the disarming of the Austro-Hungarian subjects in actual military service. Please enforce the same in your jurisdiction and reply upon the receipt of this telegram.

I. After our declaration of war against Austria-Hungary, all Austro-Hungarian subjects in actual military service in China shall be disarmed in accordance with these rules, which are to be made known to the former Austrian Minister with a request that the commanders and officials of the Austrian troops may be instructed to give their co-operation to the Chinese commissioners in carrying these rules into effect.

1. The Austrian commanders shall be informed of the number of Chinese commissioners to effect the disarmament, the names and ranks of the commissioners, and the number of officials and soldiers whom the commissioners will take with them as escorts.

2. The date and hour on which the disarmament will be made, shall be notified in advance.

3. The Austrian commanders shall be requested to make a list of the names of their soldiers and an inventory of the arms to be delivered over and of those to be retained.

4. The swords of the ranking officers may be retained by them.

II. The provincial and district military authorities, upon receipt of the Government order declaring that a state of war exists between China and Austria-Hungary, shall communicate this fact quoting the said Government order to the Austro-Hungarian consuls in their respective provinces and districts.

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III. Upon the receipt of the reply and list from the Austrian military representatives, the Senior Military Officers of all Provinces and Special Administrative Areas shall dispatch delegates, interpreters and gendarmes to the Austrian barracks, and shall make a request of the commander of the barracks that a roll call of the Austrian soldiers may be had in a neighborhood convenient to the barracks, and that thereupon the arms may be inspected and verified, for shipment by special carriages to a designated internment camp.

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(*Inclosure 6.*)

[*Circular Telegram—Translation.*]]

Peking, 14th day, 8th month,
6th year of the Republic.

[August 14, 1917.]

We hereby publish the rules and regulations governing the disposition of weapons and military instruments of enemy ownership, as follows :

I. Weapons and military instruments belonging to an enemy Government which are found within Chinese territory, shall be confiscated.

II. The weapons and military instruments belonging to enemy subjects, which are found within Chinese territory shall be disposed of according to Sections 3 and 4 of the rules and regulations governing Provisional Inspection.

Please enforce the above rules in your jurisdiction and reply upon receipt of this telegram.

Ministry of War.

(*Inclosure 7*)

[*Circular Telegram—Translation.*]]

Peking, 14th day, 8th month,
6th year of the Republic.

[August 14, 1917.]

We hereby publish the rule regarding the disposition of barracks of enemy countries in China, to the effect that all the said enemy barracks shall be taken over under the control of specially appointed delegates of the provincial or district high military or civil authorities.

Please enforce the above in your jurisdiction and reply upon receipt of this telegram.

Ministry of War.

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No. 158.

The Minister of the Interior to the Minister of Foreign Affairs.

[*Letter—Translation.*]

Peking, 17th day, 8th month,
6th year of the Republic.

[August 17, 1917.]

Sir:

Pursuant to the Proclamation of the President declaring a state of war to exist between China and Germany as well as Austria-Hungary, my Ministry has promulgated Rules and Regulations governing the disposition and treatment of enemy subjects, and has also decided upon the detailed measures for the enforcement of the said rules and regulations. In proceeding to carry into effect the said rules and regulations as well as the detailed measures for the enforcement thereof, I have the honor to cause the printed copies of the same to be sent to Your Excellency and to request Your Excellency's co-operation.

I have, etc.,

[sd.] Tang Hua-lung.

Enclosures: as stated.

(*Inclosure 1.*)

Rules and Regulations Governing the Disposition of Enemy Subjects.

[*Translation.*]

Art. 1. All enemy subjects residing in China may within five days from date apply to the local authorities at the place of their residence for passports to leave the country.

Art. 2. The local authorities shall investigate and order enemy subjects under their jurisdiction to register within ten days if they have not done so before the declaration of war.

Art. 3. All registered enemy subjects may obtain permission from the local authorities under whose jurisdiction they live, to continue their residence at the same place and claim adequate protection for their lives and property. But in case the place of their residence is such that the local authorities deem it inconvenient to give adequate protection, or in time of exigency, enemy residents may be ordered by the local authorities to remove to a designated place, or the Government may issue to them passports for leaving the country.

Art. 4. When an enemy subject is ordered to remove his residence or leave the country, the property which he cannot take along

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may, after inspection be sealed, or taken into custody by the local authorities, or left in the care of other persons if he so desires. But if the latter course be taken, it must be approved by the local authorities concerned.

Art. 5. All enemy subjects remaining in this country shall be permitted to pursue lawful and peaceful occupations. But before so doing, they must first obtain the permission of the local authorities under whose jurisdiction they live.

Art. 6. Sojourning and travelling are prohibited to enemy subjects.

Art. 7. All enemy subjects shall be prohibited from entering this country but those who have obtained permission of the Government, are excepted.

Art. 8. All books and newspapers published by enemy subjects in any language may be suppressed by the local officials when the latter deem it necessary.

Art. 9. The present regulations are subject to revision from time to time.

Art. 10. The present regulations shall be in force on and from the date of their promulgation.*

*Ministry of the Interior Order No. 279.

[Translation]

Peking, 28th day, 12th month,
6th year of the Republic,
[December 28, 1917.]

I hereby publish the amendments to the Rules and Regulations Governing the Disposition of Enemy Subjects.

[Seal of the Ministry.]

[sd.] Fan Yuan-lien.

Amendments to the Rules Governing the Regulation of Enemy Subjects :

[Translation.]

Article 9. Any enemy subject who violates these rules, may be deported. If an enemy subject concerned cannot leave the country immediately he may be detained until he is able to depart.

The original "Article 9" is changed to read "Article 10."

The original "Article 10" is changed to read "Article 11."

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(*Inclosure 2.*)

*Detailed Instructions for the Enforcement of the Rules and Regulations
Governing the Disposition of Enemy Subjects.*

[*Translation.*]

(1) Whenever a resident enemy subject desires to leave Chinese territory after the expiration of the five days' limit imposed by Article 1 of the Regulations governing the disposition of enemy subjects it shall be reported by the local officials concerned to the highest authority of the district who will at once telegraph to the Ministry of the Interior for approval. Upon approval, a passport will be issued and the enemy subject will be ordered to leave the country.

(2) Resident enemy subjects, who fail to register within the time limit of ten days imposed by Article 2 the said Regulations, may be ordered to remove their residence to a place specially designated. If the local authorities consider that the explanation for the delay in registering in time is satisfactory, they may still be permitted to register.

(3) Enemy subjects, who have already registered before the promulgation of said Regulations, and have since continued their residence in the same jurisdiction, need not again register; but if the local authorities deem it necessary, such enemy subjects may be required to report to them.

(4) When registration is approved, enemy subjects shall continue to reside at the place of registration; but in case of special reasons necessitating removal, it shall be reported by the local authorities concerned to the highest authority of the district who will refer it by telegraph to the Ministry of Interior for consideration.

(5) In the case of passports which shall be issued by the Government as provided in Article 3 of the said Regulations, it shall be reported by the local authorities concerned to the highest authority of the district who will telegraph to the Ministry of the Interior for the issue of same.

The passports referred to in the preceding paragraph and Article 1 of the said Regulations may be issued by the local authorities by order of the Ministry of the Interior. Those issued by the Ministry of the Interior shall be countersealed by the Ministry of Foreign Affairs, and those issued by the local authorities shall also be countersealed by the Commissioner of Foreign Affairs of the province.

(6) The properties of enemy subjects which, after inspection, have been sealed or taken into custody by the local authorities as

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provided in Article 4 of the said Regulations, may be removed to a suitable place or sold by the local authorities, when rendered necessary either for convenience of safe-keeping, or on account of special circumstances.

The proceeds of the sale referred to in the preceding paragraph shall be entered in the books; and the consent of the owners who are to remove their residences or who are to leave the country, must be obtained.

(7) The local authorities, when inspecting, sealing or taking into custody the property of enemy subjects, shall inspect them in the presence of those who are to remove their residence or are about to leave the country and make an inventory giving particulars of the kind, measure and weight of the articles, and the said inventory shall be signed by the owners for the purposes of record.

Unless loss or damage occasioned to the property sealed or in custody as referred to in the preceding paragraph results from the act of God, or *force majeure*, or some other cause not due to negligence, the local authorities shall be held responsible for their safe-keeping.

(8) An enemy subject, who has obtained a passport to travel before the promulgation of the said Regulations and who is now on his way, shall be stopped and escorted back to his original place of residence by the local authorities of the place through which he is passing. An enemy subject who has already reached his destination and has no desire to continue his residence at that place, shall be treated in like manner.

In case the local authorities meet with difficulty in carrying out the above measures, they shall report in detail the circumstances to the highest authorities of the district who will telegraph to the Ministry of the Interior for instructions.

Those enemy subjects who have already obtained their passports to travel but have not started, shall be directed to return their passports to the local authorities for cancellation.

(9) Enemy subjects in possession of passports to travel obtained before the promulgation of the said Regulations shall be treated according to the provisions of the preceding article.

(10) The books and journals irrespective of their shape or form referred to in Article 8 of the said Regulations shall be prohibited from publication, irrespective of the manner of their publication and distribution.

(11) The time limits of five days and ten days referred to in

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Articles 1 and 2 of the said Regulations, respectively, shall be calculated from the date on which the said Regulations are made public by the local authorities of the district concerned.

(12) The term local authorities referred to in these Regulations shall be understood to be the Senior police officers at places where a police force has already been organized, and magistrates at places where no police force exists.

(*Inclosure 3*)

Matters to be attended to when granting permission to enemy subjects to carry on business, in pursuance of the Rules and Regulations Governing the disposition of enemy subjects.

[*Translation.*]

(1) All enemy subjects wishing to carry on business shall be ordered to report in writing to the local authorities in detail the nature of the business, the full name, nationality, and age of the proprietor as well as of the manager, the amount of capital, the number of years during which the business is to run, and the location of the principal and branch offices, etc. If on investigation, the business is found to be carried on at a place permitted by law a licence may be issued in accordance with the provisions of the present Rules.

After the application has been approved, the local authorities shall file a report with the highest provincial authorities who shall submit it with other reports to the Ministry of the Interior for decision.

A licence may be revoked if necessity so demands.

(2) If enemy subjects doing business fictitiously use the names of Chinese citizens or of the national of a third country and do not apply for licences in accordance with the regulations, their businesses may be closed.

(3) All banking business, trafficking in arms and munitions of war, newspapers, and press associations or agencies shall be immediately stopped.

Besides these, all other businesses when deemed necessary, may also be closed, but such closures shall be made only after a report has been made to the high provincial authorities who shall telegraph to the Ministry of the Interior for its decision.

(4) When a permit is granted, attention should be paid to the nature and purpose of the business to see that it is in no way dangerous or objectionable.

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(5) When a permit is granted, attention should be paid to the character, acquaintances and the length of domicile of the members of the business staff and to whether any of them have at any time served in the army or police force,

(*Inclosure 4*)

Directions for Maintaining Vigilant Watch over Enemy Subjects.

[*Translation.*]

The following classes of persons and places should be given especial attention :

I. Concerning the Station and Character of Enemy Subjects :

- (a) Those who are reputed to be bad characters,
- (b) Vagrants and those who have no respectable occupation,
- (c) Those whose receipts and payments, or whose bank accounts do not correspond with their stations,
- (d) Those who have resided in China for a comparatively long time and who are familiar with conditions,
- (e) Those who have served in either the police force or in the army,
- (f) Those who have been newspaper correspondents or who have been suspected of being newspaper correspondents,

II. Concerning the Residences or Occupations of Enemy Subjects :

- (a) Places which are frequented by many people,
- (b) Places where many people assemble or live without a known reason,
- (c) Places where people call or assemble at late hours during the night, or at early hours in the morning,
- (d) Places where the callers are suspicious characters,
- (e) Places where it is suspected that channels of correspondence with enemy countries are maintained,
- (f) Places where the structures are of unusual size or height, or where conspicuous signs or marks are displayed,

III. In addition to the details as specified in the two above sections, it is necessary to take precaution whenever the circumstances of the case induce suspicion, or there is apprehension of danger to the public.

No. 159.

The Netherlands Minister at Peking to the Minister of Foreign Affairs.

[*Note—Translation.*]

Peking, August 18, 1917.

Your Excellency:

I have the honor to acknowledge the receipt of Your Excellency's

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note of the 14th instant, in which was enclosed a copy of the Provisional Regulations governing the trial of enemy subjects in civil and criminal cases, as promulgated by the Chinese Government on August 14.

Reserving the liberty of discussing these regulations in the future, I feel compelled immediately to present my protest to Your Excellency on the ground of principle.

Upon China's declaration of war against Germany and Austria-Hungary, China abrogated all her treaties with Germany and Austria-Hungary. I have not contended with the Chinese Government respecting her action in abrogating the treaties. But the said abrogation should not go so far as to interfere with the position in the realm of law, which belongs to the residents of the said two countries in China—the said Provisional Regulations do interfere with their legal position.

Your Excellency will understand that according to International Law, war is a legal action against the enemy government and its organizations, but not against the individual status of enemy persons.

In invading the legal status of German, Austrian and Hungarian subjects, in violation of this universally recognized principle, the Chinese authorities seems to attach less value to the principles of international law than that I thought I could expect.

Article 1 of these regulations not only prescribes, that during the war, all civil and criminal cases concerning the subjects of enemy countries shall be adjudicated by Chinese tribunals, but also adds by way of exception to that rule, that civil cases in which enemy subjects and foreign subjects are involved, shall be brought before the foreign competent consul in conformity with the treaties. This (last) disposition has surprised me to the highest degree. I cannot refrain from pointing out to Your Excellency that this clause is a complete violation of the treaties concluded with different Powers which expressly provide that the Chinese authorities have no right in any aspect to interfere in litigation between foreigners.

The Chinese authorities have no right to regulate controversies of that character and I must protest most energetically against the attempt to do so in the Provisional Regulations.

I avail,

[sd.] Beelaerts van Blokland.

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No. 160.

The Netherlands Minister at Peking to the Minister of Foreign Affairs.

[*Note—Translation.*]

Peking, August 18, 1917.

Your Excellency:

I have the honor to call Your Excellency's attention to the matter that since the state of war came into existence between China and Germany, the authorities of the various localities have taken possession of the main and branch offices of the Deutsch-Asiatische Bank, and have also taken over all the moneys and evidences of value which were deposited in those banks. I must vigorously protest against this action.

Having perused Your Excellency's Note of the 14th instant in the capacity of Doyen of the Diplomatic Body, it appears to me that the said action was carried out under the orders of the Minister of Finance.

Referring to the definite declaration of the Chinese Government that it will conform to all the provisions of the Hague Conventions, I may suggest to Your Excellency that respect for private property is one of the most important principles underlying those provisions. Why was it declared in the morning that the said Conventions would be adhered to, whereas in the evening, measures were taken diametrically opposed to the said Conventions? Perhaps, the Ministry of Finance, being unaware of the fact that the said Bank is a purely private concern, has mistaken it to be owned by the German Government. However, it is a matter of common knowledge that the said Bank has no connection whatsoever with the German Government. I have the honor to request that Your Excellency will instruct the responsible officials immediately to cancel the said illegal action and to return all the moneys and properties to the said Bank.

I avail etc.

[sd.] Beelaerts van Blokland.

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No. 161.

The Minister of Foreign Affairs to the Special Commissioners of Foreign Affairs at Mukden, Heilungkiang, Tientsin, Kashgar, Kirin, Shanghai, Hankow, Ili and Hsin-chiang.

[Circular Letter—Translation.]

Peking, 19th day, 8th month,
6th year of the Republic.

[August 19, 1917.]

Sir:

I have received a communication from the Russian Minister, in which he says: "Since Russia has been at war with Germany and Austria-Hungary, the German and Austrian Legations have been frequently committing acts to disturb the internal peace of China and to embarrass the friendly relations between China and the Allied countries. Now that a state of war exists between China and Germany and Austria-Hungary, the evil influence above referred to should be immediately ended. Our consuls have collected reliable evidence in this matter. I shall be happy to instruct them to tender their co-operation to your Special Commissioners of Foreign Affairs," etc., etc.

Besides transmitting the above to the Ministry of War, I refer this matter to you and inclose herewith a copy of the Russian Minister's communication. Please co-operate with the Russian Consuls. It is necessary that the Military and Civil Governors should be consulted with respect to all measures for the protection and safeguarding of our interests. You will also please reply to this communication.

I have, etc.

[sd.] Wang Ta-hsieh.

Enclosure: as stated.

[Enclosure omitted.]

No. 162.

*The Minister of Foreign Affairs to all the Foreign Ministers
at Peking.*

[Circular Note—Translation.]

Peking, 20th day, 8th month,
6th year of the Republic.

[August 20, 1917.]

Your Excellency:

Since my Government severed diplomatic relations with Germany

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and since its subsequent declaration of war against Germany and Austria-Hungary, all the German and Austrian merchant ships have been successively seized. I have the honor to inform Your Excellency that all contracts for chartering or purchasing the said enemy ships, irrespective of whether they are made by Chinese or foreign merchants, unless such contracts have the previous approval of the Central Government, will be null and void.

I have the honor to request that Your Excellency instruct your Consuls by telegraph to notify your merchants concerning the validity of the said contracts, in order to avoid any misunderstanding.

I avail, etc.

[sd.] Wang Ta-hsieh.

No. 163.

The Minister of Foreign Affairs to the Ministers of the Allied and Neutral Countries at Peking.

[Note—Translation]

Peking, 22nd day, 8th month,
6th year of the Republic.

[August 22, 1917.]

Your Excellency:

I have the honor to inform Your Excellency that the Chinese Government has declared a state of war to exist between China and Germany and between China and Austria-Hungary and has promulgated on the 14th instant, Provisional Regulations governing the trial of enemy subjects in civil and criminal cases affecting those Germans and Austrians who reside in China.

Excepting those civil cases between German or Austrian subjects and the nationals of your country which should be tried by your Consuls according to the treaties, all other cases shall be tried by the Chinese Law Courts.

I have the honor to request that Your Excellency will be good enough to notify the subjects of your country residing in China that henceforth all actions or suits which they may bring against German or Austrian subjects, instead of being brought before the German or Austrian consulates as before, shall be instituted in the Chinese Law Courts concerned for adjudication in accordance with the above-mentioned Provisional Regulations.

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In addition to the issuance of instructions which have already been given to the Commissioners of Foreign Affairs in the different provinces to communicate with your Consuls near-by, I beg to forward to Your Excellency a copy of the said Provisional Regulations, with the request that Your Excellency will instruct Your Consuls to act accordingly.

I avail, etc.

Enclosure* : as stated.

[sd.] Wang Ta-hsieh.

[Enclosure omitted.]

No. 164.

The Minister of Foreign Affairs to the Netherlands Minister at Peking.
[Notes—Translation.]

Peking, 22nd day, 8th month,
6th year of the Republic.

[August 22, 1917.]

Your Excellency :

I have the honor to acknowledge the receipt of Your Excellency's note of August 18 in which Your Excellency contends that the Provisional Regulations governing the trial of alien enemies in civil and criminal cases as promulgated by my Government, invade the legal status of alien enemies residing in China, and that Provision 2 of Article 1 of the said Regulations is a breach of the treaties with the Powers, etc., etc.

In reply I beg to say that the status of alien enemies referred to was based upon the treaty of 1861 between China and Germany and the treaty of 1869 between China and Austria-Hungary. These treaties have been terminated by the present war. Therefore my Government has drawn up the said Regulations in definite terms, simply for the purpose of giving due regard to the position of alien enemies in the realm of law. Provision 2 of Article 1 shows especially that my Government has no intention to disregard her treaties with the Powers.

*For text, cf. inclosure in Note (No. 155) to the Netherlands Minister dated 14th day, 8th month, 6th year of the Republic [August 14, 1917.]

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I regret very much that Your Excellency has not understood the real intent of the Chinese Government in enacting the said Regulations. It is erroneous to assume that the said Regulations infringe the legal rights of alien enemies in China, and that the same impugn the treaty stipulations between China and the Powers.

I avail, etc.

[sd.] Wang Ta-hsieh.

No. 165.

The French Minister at Peking to the Minister of Foreign Affairs.

[*Note—Translation.*]

Monsieur le Ministre :

Peking, August 23, 1917.

In your note of the 20th instant, Your Excellency informed me that all the enemy merchantships in China have been seized by the Chinese authorities ; and that all contracts for chartering or purchasing these ships can be validly made only by previous authorization of the Central Government.

In thanking Your Excellency for the above communication, I have the honor to say that I have advised my Government of the same and instructed all our Consuls in China to notify all persons under their jurisdiction of the information relative to the validity of the said contracts in order to avoid all misunderstanding.

From your note above-mentioned, I may infer that from now on, the Chinese Government is considering the possibility of selling or to chartering the enemy ships already seized. My Government being interested in knowing the conditions under which these transactions may be effected, I shall accordingly be grateful to receive Your Excellency's information on this subject.

I avail, etc.

[sd.] A. R. Conty.

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No. 166.

The Ministry of the Interior to the Ministry of Foreign Affairs.

[*Letter—Translation.*]

Peking, 25th day, 8th month,
6th year of the Republic.

[August 25, 1917.]

To the Ministry of Foreign Affairs:

We beg to acknowledge the receipt of your respective communications to the following effect : that your Ministry has received information concerning the German plotters and their dangerous activities in China, from diplomatic quarters and particularly from the British Legation ; and that these diplomatic quarters have transmitted to your Ministry a series of lists with the request that strict watch may be maintained over the said plotters, &c., &c.

This Ministry has heretofore instructed all the officials inside and outside the Capital, upon all the measures of precaution which should be taken against enemy subjects. Since we are now in receipt of the lists from the British Legation and other diplomatic sources, we shall again issue instructions in accordance therewith. We beg to send to your Ministry herein enclosed a copy of the instructions relating to the precautionary measures which are being taken against all enemy subjects.

We have, etc.,

Ministry of the Interior.

Enclosure : as stated.

Enclosure omitted*

No. 167.

The American Minister at Peking to the Minister of Foreign Affairs.

[*Note—Copy.*]

August 27, 1917.

Excellency :

Referring to a conversation between the Chinese Secretary of the Legation and a member of Your Excellency's Ministry, in reference to arrangements which the Chinese Government intends to make whereby the German and Austrian steamers now at Shanghai may be chartered for commercial uses, I have the honor to request that I

*Cf Inclosure 4 in No. 158.

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may be informed upon what conditions foreign merchants may make tender for the chartering of the said vessels.

I also desire to inform Your Excellency that the China Mail Steamship Company, an American incorporated company, requests to be informed of the arrangements under which it may charter some of the said steamers. Its agent at Shanghai, Mr. Petrocelli, would be pleased to receive information on this matter.

I avail, etc.

[sd.] Paul S. Reinsch.

No. 168.

*The Minister of Foreign Affairs to the Netherlands Minister
at Peking.*

[*Note—Translation.*]

Peking, 28th day, 8th month,
6th year of the Republic.

[August 28, 1917.]

Your Excellency :

I have the honor to acknowledge the receipt of Your Excellency's Note which is to the following effect :

The Chinese authorities in various localities have taken possession of the main and branch offices of the Deutsch Asiatische Bank and have also taken over the moneys and evidences of value deposited therein. This action seems to be contrary to the declaration of the Chinese Government that it will observe the Hague Conventions. Moreover, the said Bank is a purely private concern which has no financial connection whatsoever with the German Government. It is requested that the said action be immediately cancelled and that the moneys and properties taken over be returned to the said Bank, etc., etc.

In reply this Ministry is of the opinion that for the time being, it is unnecessary to consider whether or not the Deutsch Asiatische Bank is a purely private financial concern. For the business of a Bank, unlike other kinds of business, has intimate relation to the market and exchange. Now that this country stands as a belligerent against the two countries of Germany and Austria-Hungary, all enemy banks should of course discontinue their business, and should be taken over and protected by the authorized officials of the Government. Moreover, we have noticed that after the declaration of war by the

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various belligerents against Germany: some have confiscated the German banks, and others have only sequestered them. Consequently, the present action of the Chinese Government is in line with the precedents set by the other countries. Testing our action by the various provisions of the Hague Conventions, the Ministry is likewise unable to perceive any violation thereof. Therefore, I am unable to admit the validity of the objections raised in Your Excellency's Note.

I avail, etc.

[sd.] Wang Ta-hsieh.

No. 169.

The Netherlands Minister at Peking to the Minister of Foreign Affairs.

[Note—Translation.]

Peking, September 4th, 1917.

Your Excellency:

On behalf of the Austro-Hungarian Government I have the honor to inform Your Excellency that the Austro-Hungarian Government desires to lodge a protest in advance against any actions inconsistent with the principles of international law, which the Chinese Government may take to the detriment and injury of Austro-Hungarian subjects and their properties. The Chinese will be held answerable for all losses which may result from such actions.

I avail, etc.

[sd.] Beelaerts van Blokland.

No. 170.

The Netherlands Minister to the Minister of Foreign Affairs.

[Note—Translation.]

Peking, September 5, 1917.

Your Excellency:

Concerning the Provisional Regulations governing the trial of alien enemies in civil and criminal cases, I have had the honor of addressing Your Excellency my Note of August 18. In Your Excellency's reply of August 22nd, Your Excellency claimed that the said Regulations do not infringe the legal rights of enemy aliens in China, etc., etc. I beg to say that Your Excellency's explanation of the intent of the said Provisional Regulations is not yet clear to me. Relying upon Your Excellency's declaration that no invasion of the right of enemy subjects was intended, I shall hope

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that the Chinese Government will see to it that trials affecting enemy subjects are conducted in accordance with the general principles of law, which the German and Austrian law officials applied to their respective nationals in China before the war was declared; and that the said enemy subjects will have full protection and safeguards before the law, according to its letter as well as its spirit. If the actual practice shall conform with my hope above expressed, my protest against the said Regulations will be withdrawn as a matter of course. In the meantime, my protest is to stand pending the operation and result of the said Regulations.

Your Excellency is of the opinion that I have not understood the real intent of the said Regulations, of which Provision 2 of Article I, especially, shows that the Chinese Government has no intention to disregard her treaties with the Powers, etc., etc. But Your Excellency's supplementary Note of August 22 proves the correctness of my construction of Provision 2 of Article I of the said Regulations, and supports my contention that the said Provision is contrary to the treaties with the Powers. Because in the said supplementary Note, Your Excellency requests that I should instruct the subjects of Holland to the effect that from now on, when they bring suit against the Germans or Austrians residing in China, they should go to the Chinese law courts. It is, however, specified in the treaties that when foreigners have controversy among themselves, the Chinese authorities need not take notice thereof. For example, Article XXXVIII of the treaty of 1858 between China and France, contains this provision. The said Article makes no distinction between the parties to the controversy, whether the party be the subject of a treaty Power or of a non-treaty Power. According to this Article, when a subject of Holland has a dispute with a subject of Germany or Austria-Hungary, the Chinese Law Court has no jurisdiction over the case. Therefore, Your Excellency's request that I issue the said instruction to the subjects of Holland, is against the stipulation of the treaty. It is very much to my regret that I am unable to comply therewith.

I avail, etc.

[sd.] Beelaerts von Blokland.

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No. 171.

The British Charge d'Affaires at Peking to the Minister of Foreign Affairs.

[*Note—Copy.*]

Peking, September 6, 1917.

Sir:

I have the honour to acknowledge the receipt of Your Excellency's Note of the 22nd ultimo with reference to the trial of civil and criminal cases affecting enemy subjects.

I assume that the procedure to be followed when cases against enemy residents are taken by British subjects to the Chinese Courts will be that laid down in the Wai Chiao Pu's Memorandum to the Dean of the Diplomatic Body of May 24, 1913. Before giving directions to His Majesty's Consuls for the observance of the Regulations enclosed in the Note under reply, I shall be glad to receive Your Excellency's assurance on this point.

I avail, etc.

[sd.] B. Alston.

No. 172.

The Minister of Foreign Affairs to the Netherlands Minister at Peking.

[*Letter—Translation.*]

Peking, 8th day, 9th month,
6th year of the Republic.

[September 8, 1917.]

Sir:

With reference to the date on which the German barracks at Pei-Tai-Ho and Tang-Ku are to be taken over by the Chinese authorities, as to which Your Excellency has personally inquired of me for the purpose of preparing instructions for effecting the transfer, etc., my Ministry has forwarded by telegraph Your Excellency's inquiry to the Military Governor and the Commissioner of Foreign Affairs of Chihli Province. I am now in receipt of a telegraphic reply, stating that the Chihli Police Department has named the 12th day of the 9th month (September 12th) at ten o'clock A.M. as the date on which the German barracks at Pei-Tai-Ho, and the German and Austrian barracks at Tang-Ku will be taken over by the Chinese authorities, etc., etc.

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I have the honor of informing Your Excellency of the said date. Trusting that instructions for effecting the transfer above-mentioned will be issued accordingly, I avail, etc.

[sd.] Wang Ta-hsieh.

No. 173.

The Netherlands Minister at Peking to the Minister of Foreign Affairs.

[*Letter—Translation.*]

Peking, September 10, 1917.

Sir:

I have the honor to acknowledge the receipt of Your Excellency's letter of the 8th instant, in which it is stated that the Chihli Police Department has named September 12 at ten o'clock A.M. as the date on which the German barracks at Pei-Tai-Ho, and the German and Austrian barracks at Tang-Ku will be taken over by the Chinese authorities, etc., etc.

In reply I beg to say that I have instructed the soldiers of Holland now acting as guards of the said German and Austrian barracks to vacate their posts and deliver the said barracks to the charge of the Chinese police at the appointed time.

I am, etc.

[sd.] Beelaerts van Blokland.

No. 174.

The Netherlands Minister at Peking to the Minister of Foreign Affairs.

[*Note—Translation.*]

Peking, September 10, 1917.

Your Excellency:

With reference to the seizure of the main and branch offices as well as the properties of the Deutsch-Asiatische Bank in the various localities, I protested in my note to Your Excellency under the date of the 18th ultimo. I have the honor to acknowledge the receipt of Your Excellency's reply of the 28th ultimo which is to the following effect:

"We have noticed that after the declaration of war, by the belligerents against Germany: some have confiscated the German banks, and others have only sequestered them. Consequently, the present action of the Chinese Government is in line with the precedents set by the other countries. Likewise in testing our action

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by the various provisions of the Hague Conventions, no violation thereof could be perceived" etc., etc.

Whether or not the various countries, after the declaration of war against Germany, have either confiscated or sequestered the German banks, I am not informed in detail. I am of the opinion that it is not the same with all the countries. Assuming that all the countries have taken the same action, such action, being illegal, cannot be followed as legal.

From time immemorial, both in time of peace and of war, there have frequently been infractions of International Law. How can these deplorable precedents be made principles of law and followed. Such a theory would seem to make the violations of International Law the standard, rather than International Law itself.

Looking at the principles underlying the various Hague Conventions, they are throughout intended to secure respect for private property. The disposition of the Deutsch-Asiatische Bank by the Chinese Government is, indeed, contrary to the principle of the said Conventions. I cannot help continuing my protest. The Chinese Government will be held responsible for whatever damages and expenditures the said Bank may sustain and incur as a result of the action complained of.

I avail, etc.

[sd.] Beelaerts van Blokland.

No. 175.

The Minister of Foreign Affairs to the Netherlands Minister at Peking.

[*Note—Translation.*]

Peking, 12th day, 9th month,

6th year of the Republic.

[September 12, 1917.]

Your Excellency:

I have the honor to acknowledge the receipt of Your Excellency's Note in which it is stated that the Austrian Government has requested Your Excellency to declare that the Austrian Government protests in advance against all acts of the Chinese Government which are detrimental to the person and property of the subjects of Austria-Hungary, and contrary to International Law; and that if damages be sustained in consequence of such acts, the Chinese Government must assume the entire responsibility etc., etc.

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In reply, I have the honor to say that all the acts of the Chinese Government during the present war are in accord with the principles of International Law. These are the principles for which and the reason why the Chinese Government stands in opposition to the illegal acts of the Central European Empires, and it will insist upon the same principles in the future.

Now that a state of war exists between China and the Empire of Austria-Hungary, the present and future actions of the Chinese Government are the natural result and outcome of a legal status, that of war. For this reason, the Chinese Government cannot assume any responsibility whatsoever for the losses which the Austrian subjects may suffer on account of the state of war. I have the honor to request that Your Excellency will forward this reply to the Austrian Government.

I avail, etc.

[sd.] Wang Ta-hsieh.

No. 176,

The Minister of Foreign Affairs to the Netherlands Minister at Peking.

[Note—Translation.]

Peking, 15th day, 9th month,
6th year of the Republic.

[September 15, 1917.]

Your Excellency:

I have the honor to acknowledge the receipt of Your Excellency's Note of September 5 with reference to the Provisional Regulations governing the trial of enemy subjects in civil and criminal cases. In so far as I have not already explained these regulations in my note of the 22nd day of the 8th month [August 22nd] I beg to do so in detail as follows:

The reason the Chinese Government enacted the said Regulations was that the treaty of 1861 between China and Germany and the treaty of 1869 between China and Austria-Hungary have both been abrogated by the declaration of war. Consequently, it is a matter of course that the legal status of the German and Austrian residents in China who have heretofore enjoyed extraterritoriality administered by their respective consuls in accordance with the said treaties—should be clearly regulated. For this reason, the said Regulations were made by which all civil and criminal cases affecting enemy subjects, are to be tried by the Chinese Law Courts.

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In trying the said cases, besides the jurisdictional provisions which are specified in Provision 1 of Article II of the said Regulations, the Law Governing the Organization of the Judiciary and all other duly enacted laws and regulations are to be applied. Thus enemy subjects residing in China, like Chinese citizens themselves, are given the same recourse and the same due protection of the Chinese law in civil and criminal cases. This is what was meant by "giving due regard to the position of alien enemies in the realm of the law" as stated in my note of the 22nd day of the 8th month, [August 22.]

It is next to be observed that in the treaties between China and the various countries, there are provisions that when foreigners have controversies among themselves, the Chinese officials need not take notice thereof, etc., etc. This is the result of the concession by the Chinese Government to the various countries of the exercise of extra-territorial consular jurisdiction. Now that the treaties between China and Germany and between China and Austria-Hungary have been terminated, the jurisdiction formerly exercised by the German and Austrian consuls, has automatically reverted *in toto* to and has been reinvested in the Chinese Law Courts. There is, therefore, no doubt that all foreigners who formerly brought their suits against the Germans or Austrians residing in China before the German or Austrian Consuls, should now bring the same in the Chinese Law Courts. This is but the logical result of the changed circumstances.

As to those cases, where in accordance with the treaties, German or Austrian subjects formerly brought their suits in civil matters against other foreigners before the consular courts of the other foreigners concerned, such cases shall still be tried by the other foreign consuls respectively concerned. Because of its regard for the sanctity of treaties, my Government has singled out this exception by means of Provision 2 of Article 1 of the said Regulations, for the purpose of making sure that the regulation in Provision 1 of the same Article, does not in any way contravene any treaty stipulation with the various countries.

I avail, etc.

[sd.] Wang Ta-hsieh.

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No. 177.

The Netherlands Minister at Peking to the Minister of Foreign Affairs.

[Note—Translation.]

Peking, September 17, 1917.

Your Excellency :

I have the honor to acknowledge the receipt of Your Excellency's Note of the 20th ultimo, which states as follows : " Since my Government severed its diplomatic relations with Germany and its subsequent declaration of war against Germany and Austria-Hungary all German and Austrian merchant-ships have been successively seized," etc., etc. On examining the record, there was in fact no action amounting to the seizure of the German merchant-ships after the severance of diplomatic relations between China and Germany. If there had been such seizures at that time, they would have been acts in contravention of international law, which I need not dwell upon here. Furthermore, the former Foreign Minister Mr. Wu expressly declared that the action of the Chinese Government in reference to the German ships was merely for the purpose of safe-guarding the ships in order to prevent the ship-masters from destroying the ships themselves, and jeopardizing navigation, etc , etc. I have already voiced my dissent from the said action. Therefore, now I let the matter stand, in view of Your Excellency's notification that subsequent to the declaration of war, all the German and Austrian merchant-ships have been seized without exception.

In the matter of this seizure, I have the honor to call Your Excellency's attention to the Hague Convention relative to the treatment of enemy merchant-ships at the outbreak of hostilities. The important article of the Convention in question provides as follows : At the outbreak of war, all merchant-ships found in an enemy port, should be given the opportunity to leave port freely. If the opportunity is not given, or when given it cannot be utilized, then, these ships cannot be confiscated according to Article II of the same Convention. The belligerent government may only detain or requisition these ships. Detention involves the obligation of restoring the ships to their owners after peace is concluded, without indemnity. Requisition of the ships carries with it the obligation of paying indemnity.

But the above cited Article only applies to merchantships. Steam-launches used as ferry-boats at the seaports, motor-boats, and yachts do not come within the meaning of the said Article, for the reason that these latter vessels should be treated as private property

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which a belligerent is interdicted from seizing by the general practice of nations. It is very much to be regretted that the Chinese officials have several times transgressed this Article of the law of nations.

I beg herewith to inclose to Your Excellency a list of the small vessels which have been seized at various places. Among them there are several vessels which have been abruptly seized by the Chinese authorities without requesting each ship-master to make an inventory of the articles on board the ship. My list as it stands may yet be imperfect.

I have the honor hereby to request a repudiation of the said illegal seizures and to call Your Excellency's attention to the fact that according to the Hague Convention, the Chinese Government is responsible for all losses and expenditures which the ship-owners may suffer in consequence of such seizures.

I avail, etc.

[sd.] Beelaerts van Blokland.

No. 178.

*The Minister of Foreign Affairs to the British Charge d'Affaires
at Peking.*

[Note—Translation.]

Peking, 20th day, 9th month,
6th year of the Republic.

[September 20, 1917.]

Your Excellency :

I have the honor to acknowledge the receipt of Your Excellency's Note of September 6 with reference to the trial of enemy subjects in civil and criminal cases by the Chinese Law Courts. This Ministry has communicated with the Ministry of Justice in the matter, and received a reply which states as follows: The "Combined Action" to be taken in "Mixed Cases" as agreed upon in the Treaties between China and Great Britain only applies to controversies where British subjects and Chinese citizens are parties. Now, when British subjects come to the Chinese Law Courts to sue enemy subjects, to wit, the German and Austrian subjects, these suits are different from the cases where suits are brought against Chinese citizens. Therefore, the Provisional Procedure formerly provided for the "Mixed Cases," cannot be followed in the cases under discussion," etc., etc.

Referring to this Ministry's Memorandum to the Dean of the Diplomatic Body of the 24th day of the 5th month of the 2nd year of the Republic [May 24 1913], what were styled as "Mixed Cases" in

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Article I of the "Provisional Procedure for Chinese and Foreign Mixed Cases" embraced legal controversies between British and Chinese only.

I am of the opinion that the construction given by the Ministry of Justice is correct. I have the honor of notifying Your Excellency of the same and requesting that Your Excellency will issue instructions in compliance with my note of the 22nd day of the 8th month [August 22].

I avail, etc.

[sd.] Wang Ta-hsieh.

No. 179.

The Minister of Foreign Affairs to the Netherlands Minister at Peking.

[Letter—Translation.]

Peking, 20th day, 9th month,
6th year of the Republic.

[September 20, 1917.]

Sir:

With reference to the question which Your Excellency has discussed with me, whether enemy subjects, on being tried in civil or criminal cases by the Chinese Law Courts, may employ the services of foreign counsel (other than Chinese), my Ministry has communicated with the Ministry of Justice. In reply to my inquiry, the Ministry of Justice writes as follows:

"In Article II of the present Chinese Regulations Governing Lawyers, there is a regulation to the effect that no person except citizens of the Chinese Republic may discharge the functions of an attorney-at-law. If the case is tried in a special law court where foreign counsels have been customarily allowed to practice by special permission, there is no reason why foreign counsel should not be permitted to appear in the said court to perform their duties. If the said foreign counsels should be enemy subjects, the same permission may also be granted them in consideration of Section V of the Regulations Governing the Disposition of Enemy Subjects, made by the Ministry of the Interior. The said Section permits enemy subjects to carry on their peaceful and legitimate occupations. However, it should be first specified, that whenever cases affecting enemy subjects are tried in the regular Chinese Law Courts, appearance should be made therein by Chinese lawyers," etc., etc.

I have the honor to communicate the above to Your Excellency, etc.,

[sd.] Wang Ta-hsieh.

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No. 180.

The Netherlands Minister at Peking to the Minister of Foreign Affairs.

[*Letter—Translation.*]

Peking, September 24, 1917.

Sir:

In acknowledging the receipt of Your Excellency's letter of September 20 with reference to the question, which I have discussed with Your Excellency, whether enemy subjects, on being tried by the Chinese Law Courts in civil or criminal cases, may employ the services of foreign counsel (other than Chinese), I beg to express to Your Excellency my thanks and satisfaction. If the reply, etc., of the Ministry of Justice has not yet been forwarded to the Special Commissioner of Foreign Affairs at Shanghai, I have the honor to request that Your Excellency will do so at Your Excellency's earliest convenience. Then there will be no doubt that German and Austrian subjects may appear in Court to discharge their duties as lawyers, in compliance with Section V. of the rules made by the Ministry of the Interior for the regulation of enemy subjects.

I have, etc.

[sd.] Beelaerts van Blokland.

No. 181.

The Minister of Foreign Affairs to the Netherlands Minister at Peking.

[*Note—Translation.*]

Peking, 25th day, 9th month,

6th year of the Republic.

[September 25th, 1917.]

Your Excellency:

With reference to the sequestration of the Deutsch-Asiatische Bank, I have the honor to acknowledge the receipt of Your Excellency's Note of the 10th instant which states:

"The principles underlying the various Hague Conventions are throughout intended to secure respect for private property. The disposition of the Deutsch-Asiatische Bank is, indeed, contrary to the principle of the said Conventions," etc., etc.

This Ministry is still of the opinion that the banking business has intimate relation with the market and exchange. Now that my country occupies the position of a belligerent vis-a-vis the countries of Germany and Austria-Hungary, therefore, it is necessary to suspend the business of all enemy banks, and to have them taken into

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the custody of officials authorized by the Government. In my previous reply, I have already set forth clearly these reasons.

There is an additional reason in the fact that the Deutsch-Asiatische Bank has been implicated in certain secret plots. The widespread complaints and public discussions concerning these conspiracies are not without cause.

Moreover, there was nothing in the procedure followed by the Chinese Government in carrying out the said action, which may be construed as in violation of the Hague Conventions. Therefore, my Government is still unable to yield to the objections and protests contained in Your Excellency's respective Notes.

I avail, etc.

[sd.] Wang Ta-hsieh.

No. 182.

The Netherlands Minister at Peking to the Minister of Foreign Affairs.

[Note—Translation.]

Peking, October 3, 1917.

Your Excellency:

I have the honor to call Your Excellency's attention to the fact that ever since the severance of diplomatic relations and the declaration of war between China and Germany, the Chinese Government has not handed any funds to the Deutsch-Asiatische Bank, which should be disbursed to the bondholders as interest accrued from the following loans, to wit, the Imperial Chinese Government 5% Sterling Loan of 1896 made by the Anglo-German Syndicate, the Imperial Chinese Government 4½% Gold Loan of 1898 made by the Anglo-German Banks, the Original and Supplementary Imperial Chinese Government 5% Tientsin-Pukow Railway Loans, and the Chinese Government 5% Reorganization Loan of 1913.

It is my duty to protest against this non-performance on the part of the Chinese Government of its financial obligations. As your Excellency knows the money ought to be at Berlin at stipulated times in order to assure the payment of the coupons falling due and to preserve unimpaired the credit of the Republic of China. The Chinese Government will not be able to disclaim responsibility for the damages growing out of non-payment sustained by the bondholders.

I avail, etc.

[sd.] Beelaerts van Blokland.

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No. 183.

The Netherlands Minister at Peking to the Minister of Foreign Affairs.

[*Note—Translation.*]

Peking, October 6, 1917.

Your Excellency:

I have the honor to acknowledge the receipt of Your Excellency's Note of the 15th ultimo with reference to my various objections to the Provisional Regulations governing the trial of enemy subjects in civil and criminal cases. I am very thankful to Your Excellency for the full explanation which Your Excellency has again made in regard to the intent of the said Regulations. However, I regret to say that it is difficult for me to withdraw my objections.

The general objections set forth in my previous Note against the trial by the Chinese Law Courts of all civil and criminal cases affecting enemy subjects, were made on account of my great fear that enemy subjects may not obtain, as formerly under the consular jurisdiction, the uniform and just protection of the law. Now I hope that in the actual administration of the regulations my doubt and fear will be dispelled.

Here is a case in the matter of one Siegel who is a German subject. Siegel has been confined over two months without either legal examination or adjudication, but merely upon the order of the Ministry of War. This shows that my fear that due protection may be wanting, was not groundless imagination. It may be presumed that Your Excellency will find it difficult to disagree with me.

As to the jurisdiction over cases where the controversies are between enemy subjects and other foreigners, Your Excellency's Note contains a renewal of the declaration that in the provision of the said Regulations in question, there is no purpose of violating the various treaties. I do not doubt that Your Excellency's declaration is frank and sincere. However I regret my inability to add that these explanations allow me to withdraw my objections.

In the treaties, it is clearly specified that when a subject of a country with which China has treaty relations and a subject of any other foreign country, have a controversy among themselves, the Chinese officials need not take notice thereof. Whereas it is now directed by the said Regulations that such a controversy shall be brought to the designated officials. This is inconsistent with the treaty stipulation. For example, if Dutch and Austrian subjects have a dispute among themselves, applying the said treaty stipulation the

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Chinese officials are not allowed to interfere. In spite of the fact that the treaties between China and Austria-Hungary have been abrogated, the said treaty stipulation is not affected in the least. Therefore, any regulation on the part of the Chinese Government in the matter of jurisdiction over a controversy between the subject of a treaty country and the subject of an enemy country no matter whether the plaintiff or the defendant belongs to one or the other, amounts to a violation of the treaty. I can but hold the opinion which I have already expressed.

I avail, etc.

[sd] Beelaerts van Blokland.

No. 184.

The Netherlands Minister at Peking to the Minister of Foreign Affairs.

[Note—Translation.]

Peking, October 9, 1917.

Your Excellency:

On the 18th ultimo, the Municipal Council of Shanghai issued a notice to the effect that beginning with the 6th instant, German and Austrian subjects may not enter, or reside in the International Concession without special permission, and must report their names and addresses and submit their photographs at the office of the Municipal Council for registration, etc., etc.

The above mentioned notice of the Municipal Council is *ultra vires* for the reason that the Shanghai International Settlement is not an independent country; it still remains a part of the Chinese Republic. According to the Land Regulations binding upon the Municipal Council, the Municipal Council has no authority over the residents in the Settlement. The power of making regulations governing the disposal of enemy subjects belongs solely to the Chinese Government. Unless by request or delegation of the Chinese Government, it is incompetent for the Municipal Council to issue the said notice.

Since the said notice has been issued neither by request nor by delegation, therefore, I have instructed the Netherlands Consul-General at Shanghai to lodge a protest with the Senior Consul-General, and I have the honor to call Your Excellency's attention to this illegal act of the International Settlement authorities, in order that Your Excellency may provide means to deal with it.

I avail, etc.

[sd] Beelaerts van Blokland

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No. 185.

The Minister of Foreign Affairs to the Netherlands Minister at Peking.

[*Note—Translation*]

Peking, 24th day, 10th month,

6th year of the Republic.

[October 24, 1917.]

Your Excellency:

I have the honor to acknowledge the receipt of Your Excellency's Note of the 3rd instant, stating that ever since the severance of diplomatic relations and the declaration of war between China and Germany, the Chinese Government has not paid to the Deutsch-Asiatische Bank the interest accrued from various loans, against which protest must be entered, etc. etc.

In reply I beg to say that since the declaration of war between China and Germany, all former agreements and treaties which China has entered into with the enemy country, have become of no effect. As a matter of course, my Government should stop the payment of all the interest accrued from the various loans, which falls due to the enemy banks.

I avail, etc.

[sd.] Wang Ta-hsieh.

No. 186.

The British Minister at Peking to the Minister of Foreign Affairs.

[*Note—Copy.*]

Peking, October 25, 1917.

Sir:

With reference to the question of the chartering of the enemy ships now detained in Chinese ports, I have the honour—acting on behalf of the Allied Ministers—to invite the Chinese Government to agree to the following procedure:

1. The steamships "China," "Silesia," "Bohemia," "Albenga," "Deike Rickmers," "Helene," "Kathe," "Sexta," and "Triumph" to be chartered to His Majesty's Government, which will allocate the vessels for Allied purposes by agreement between the Governments concerned.

2. The charter rates to be equivalent to those agreed upon by the Inter-Allied Chartering Executive, namely,

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for vessels up to	500 tons deadweight,	58/-	per month
do.	1000	53/-	do.
do.	1800	48/-	do.
do.	2500	45/6	do.
do.	4000	43/-	do.
do.	5000	41/9	do.
do. beyond	5000	40/6	do.

These rates are based on the assumption that insurance against war risks is paid by charterers.

3. No restriction to be placed on the uses to which the vessels can be put.

4. All matters not included in the above statement of principles and the details of the charter parties to be arranged by mutual agreement between His Majesty's Consul General and the representative of the Ta Ta Company at Shanghai.

Trusting to receive the favour of an early reply, I avail myself of this opportunity to renew to Your Excellency the assurance of my highest consideration.

[sd.] J. N. Jordan.

No. 187.

The Minister of Foreign Affairs to the British Minister at Peking.

[Note—Translation.]

Peking, 26th day, 10th month,
6th year of the Republic.

[October 26, 1917.]

Your Excellency:

I have the honor to acknowledge the receipt of Your Excellency's Note of the 25th instant with reference to the matter of the chartering of the enemy ships. For the purpose of rendering the utmost assistance to the Allied countries in the prosecution of the war, my Government consents to the general procedure as stated in Your Excellency's said Note, as follows:

1. The steamships "China," "Silesia," "Bohemia," "Albenga," "Deike Rickmers," "Helene," "Kathe," "Sexta," and "Triumph" to be chartered to the British Government, which will allocate the vessels for Allied purposes by agreement between the Governments concerned.

2. The charter rates to be equivalent to those agreed upon by the Inter-Allied Chartering Executive, namely,

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for vessels up to	500 tons deadweight,	58/-	per month
do.	1000	53/-	do.
do.	1800	48/-	do.
do.	2500	45/6	do.
do,	4000	43/-	do.
do.	5000	41/9	do.
do. beyond	5000	40/6	do.

These rates are based on the assumption that insurance against war risks is paid by charterers.

3. No restriction to be placed on the uses to which the vessels can be put.

4. All matters not included in the above statement of principles and the details of the charter parties to be arranged by mutual agreement between the British Consul General and the representative of the Ta Ta Company at Shanghai.

I avail, etc.

[sd.] Wang Ta-hsieh.

No. 188.

The Minister of Foreign Affairs to the Netherlands Minister at Peking.

[Note—Translation.]

Peking, 27th day, 10th month,
6th year of the Republic.

[October 27, 1917.]

Your Excellency:

I have the honor to acknowledge the receipt of Your Excellency's Note of October 6, with reference to the Provisional Regulations governing the trial of enemy subjects in civil and criminal cases.

In regard to the case of the German subject Siegel, this Ministry has already communicated to Your Excellency on the 17th day of the 10th month [October 17th] the reply which I have received from the Ministry of War.

Referring to the conversation of the 5th day of the 9th month [September 5th] during which Your Excellency stated that just protection should be provided by the Chinese Law Courts in the trials of enemy subjects in civil and criminal cases, my Ministry has already communicated with the Ministry of Justice, suggesting that all the Law Courts be instructed accordingly. There can be no doubt that

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due protection will be accorded. Therefore, I have the honor to suggest that Your Excellency need not entertain undue concern over this matter.

Again, I beg to state that Provision 2 of Article I of the Provisional Regulations governing the trial of enemy subjects in civil and criminal cases, was especially inserted for the purpose of showing that there is no intention of violating the treaties in the said Regulations. I have repeatedly made this statement to Your Excellency. It is to my great regret that only because Your Excellency's view point is different, Your Excellency considers the said Provision as a violation of the treaty. I have the honor to request that Your Excellency will refer to my respective Notes to Your Excellency on this matter and issue instructions in compliance therewith.

I avail, etc.

[sd.] Wang Ta-hsieh.

No. 189.

The Netherlands Minister at Peking to the Minister of Foreign Affairs.

[Note—Translation.]

Peking, November 2, 1917.

Your Excellency :

With reference to the matter that the Chinese Government has not paid to the Deutsch-Asiatische Bank the interest accrued from the various loans, I have availed of a previous occasion to have registered my protest. I have the honour to acknowledge the receipt of Your Excellency's reply of the 24th ultimo, in which it is stated as follows :

" Since the declaration of war between China and Germany, all former agreements and treaties which China has entered into with the enemy country, have become of no effect. As a matter of course, my Government should cease the payment of all the interest accrued from the various loans, which falls due to the enemy banks," etc., etc.

Upon perusing the above, I was greatly surprised. I could not understand in what way the treaties with a foreign government and the agreements for securing loans from the banks of the same foreign country, have any connection with each other.

Though the Chinese Government in its declaration of war has declared that all its former treaties and conventions with Germany

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and Austria-Hungary are abrogated, yet China is not in a state of war with the Deutsch-Asiatische Bank which is a private enterprise. Consequently, although war has been declared, the agreements made with the Deutsch-Asiatische Bank do not lose their validity in the least degree. Your Excellency will please refer to the Annex to the Hague Convention, Regulations Respecting the Laws and Customs of War on Land, Article 23, whereby it is especially prohibited to declare extinct, suspended or unenforceable by law, the rights and actions of the nationals of the adverse party.

Now that the Chinese Government does not pay the interest which falls due under the various loan agreements, such action will cause damage to all the bondholders, whatever their nationalities. Not only China's credit in foreign countries will of course be materially effected, but also it is difficult to construe the said action as conforming to the Law of Nations. Therefore, I must formally protest and hold the Chinese Government responsible for all the losses and expenses which may be sustained by the parties affected in consequence of the action herein complained of.

I avail, etc.

[sd.] Beelaerts van Blokland.

No. 190.

The Netherlands Minister at Peking to the Minister of Foreign Affairs.

[*Note—Translation.*]

Peking, November 6, 1917.

Your Excellency:

I have the honor to inform Your Excellency that it has been brought to my knowledge that a Bureau for the liquidation of the Deutsch-Asiatische Bank has been established in Peking, and also that the said Bureau has drafted a series of plans for the approval of the Ministry of Finance. This has been reported in the various newspapers during the past few days.

I have repeatedly written to Your Excellency with reference to the action of the Chinese Government toward the Deutsch-Asiatische Bank. Your Excellency will please recall that in my last note on the subject under the date of September 10 as well as in the previous note, I have gone into great details with regard to the various considerations involved which I do not need to recapitulate here. How-

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ever, I am again constrained solemnly to characterize the action above referred to as absolutely illegal.

If the Chinese Government has actually commenced to liquidate this private business, it has incurred a very grave risk; not only because it is a serious violation of International Law, but also I have just received a telegram from the German Government, stating that it will hold the Chinese Government strictly responsible for all the losses which the Deutsch-Asiatische Bank and other businesses of German subjects in China may suffer on account of the action taken by the Chinese Government.

I avail, etc.

[sd.] Beelaerts van Blokland.

No. 191.

The Netherlands Minister at Peking to the Minister of Foreign Affairs.

[*Note—Translation.*.]

Peking, November 26, 1917.

Your Excellency :

With reference to the liquidation of the Deutsch-Asiatische Bank, I had the honor of communicating to Your Excellency on the 6th instant. Now certain newspapers, the "Tientsin and Peking Times" being one of them, have published advertisements to the effect that the Ministries of Finance and Foreign Affairs have ordered the liquidation of the agencies of the Deutsch-Asiatische Bank in China, etc. I beg to enclose herein a newspaper clipping containing the said advertisement, and request that Your Excellency will give attention to the same.

I recall that upon the declaration of war, China gave special and reiterated assurances that she would conform to the rules of International Law. The present action in liquidating the said banks is a plain violation of the Law, against which I must solemnly protest.

Moreover, since the beginning of the war, the conduct of the German Government has always been guided by the regulations of the Hague Conventions with respect to the protection of private property of enemy subjects during war on land. This has been true not only with respect to the occupied territories, but also within the borders of Germany. To this, the Chinese Government has not given the least consideration.

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When the enemy Governments announced one after another an economic war against Germany, the German Government was obliged to retaliate in kind. For instance, when the enemy takes certain action within his sphere of operation against private enemy property if the emergency should require, Germany would resort to the same kind of action by way of reprisal. No enemy property of private ownership in Germany, except in the case of reprisals, is subject to any arbitrary disposition.

I am in receipt of a communication from the German Government which is to the following effect :

"Chinese private property in Germany has not been interfered with. However, according to the first reports concerning the action of the Chinese Government toward the Deutsch-Asiatische Bank, it seems that the Chinese Government is inclined to make certain dispositions of German private property in China. If this is true, China would be violating International Law, wherefore, Germany would solemnly protest and declare that she will hold the Chinese Government responsible for all the losses which the parties concerned may sustain. The German Government reserves the right to determine upon appropriate action by way of retaliation in the future," etc., etc.

I earnestly trust that after further consideration, China, having unfortunately entered upon a wrong path, may at once reverse its position in order to resume the right course.

At the time when the Chinese Government severed its diplomatic relations with Germany, it took upon itself the duty of upholding the Law of Nations. It should therefore be clear, that to whichever side victory in the war may fall, it is required by China's future vital interests that she should adhere to her former declaration strictly to observe all the regulations of the Hague Conventions. This is the sincere hope which I entertain, and I have the honor to request that I may have Your Excellency's reply at an early date.

I avail, etc.

[sd.] Beelaerts van Blokland.

Done









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